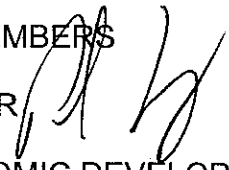



| | |
|---|--------------------------------|
| Council/Agency Meeting Held: _____ | City Clerk's Signature _____ |
| Deferred/Continued to: _____ | |
| <input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied | |
| Council Meeting Date: 2/19/2008 | Department ID Number: ED 08-08 |

**CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION**

SUBMITTED TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

SUBMITTED BY: PAUL EMERY, INTERIM CITY ADMINISTRATOR 

PREPARED BY: STANLEY SMALEWITZ, DIRECTOR OF ECONOMIC DEVELOPMENT 

SUBJECT: SUPPORT THE INTRODUCTION OF SPECIAL LEGISLATION
PERTAINING TO ADVERTISING CONTENT ON THE EXISTING
FREEWAY READER BOARD SIGN

| |
|--|
| Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s) |
|--|

Statement of Issue: The City has received notification from the Outdoor Advertising Division of the California Department of Transportation (CalTrans) that the existing freeway reader board sign, located south of the 405 Freeway and west of Beach Boulevard along Center Avenue, is not in compliance with Caltrans requirements that limit advertising on the sign to businesses within the redevelopment project area.

Funding Source:

Not applicable.

Recommended Action: Motion to:

Approve Resolution No. 2008-14 authorizing City staff and its legislative lobbyist to pursue legislation pertaining to advertising content on the existing freeway readerboard sign.

Alternative Action(s):

The City Council may make the following alternative motion:

Do not approve Resolution No. 2008-14 and direct staff accordingly.

F-1

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 2/19/2008

DEPARTMENT ID NUMBER: ED 08-08

Analysis:

The City of Huntington Beach has been notified by the CalTrans' Outdoor Advertising Division that an existing reader board sign located on City-owned property adjacent to the 405 freeway is in violation of CalTrans' permitting requirements. More specifically, all advertising on the sign is limited to businesses within the redevelopment project area under the current outdoor advertising requirements for redevelopment sign permits.

The City of Huntington Beach currently leases the subject parcel to the City's Redevelopment Agency, who in turn subleases the parcel to the Huntington Beach Auto Dealers Association (Association). The parcel is located within the Huntington Center Redevelopment sub-area. The current agreements between the City, Redevelopment Agency, and the Association require the Association to comply with all CalTrans' permit requirements in its operation and maintenance of the electronic reader board, while the City maintains the surrounding landscaping.

Since the permit was originally issued in 1992, the reader board sign has been advertising the automobile dealerships along the Beach Boulevard of Cars. These dealerships are not within a redevelopment project area. Rather, the Association maintains an office within the Huntington Center Redevelopment Project Area as required under a Disposition and Development Agreement between the Redevelopment agency and Auto Dealers Association. Since 1992, advertising of the auto dealerships along Beach Boulevard has been permitted. Caltrans has only recently informed the City that individual dealerships could not advertise their businesses on the sign due to their location outside the boundaries of the redevelopment project area.

Since the City's receipt of this notice, Caltrans has been cooperative with the City by suspending a Notice of Violation until a workable solution could be reached. Caltrans has identified two options to correct the Notice of Violation. The first is expanding the redevelopment project area to include all of the automobile dealerships along Beach Boulevard. This is not a feasible solution given the fact that in order to include these areas into the merged project area, the City would have to justify that there exists both physical and economic blight on these properties. This process could take as long as 18 to 24 months and is not a feasible solution considering the time and expense involved.

The second option is the introduction of special legislation in the State Legislature that would exempt Huntington Beach from the advertising limitations imposed by Caltrans. This type of legislation has also been successfully enacted by several other cities in both Orange County and Los Angeles County including the cities of Costa Mesa, Buena Park, and Commerce. The City of Costa Mesa has enacted legislation that excludes their City from the advertising limitations in the outdoor advertising sign code provided that the following conditions are met:

- (1) No other display is used by the City pursuant to Section 5442.8 of the government code.
- (2) The governing body of the City has authorized placement of the display by an ordinance or resolution adopted following a duly noticed public hearing regarding the display.
- (3) Placement of the display will not necessitate the immediate trimming, pruning, topping, or removal of existing trees in order to make the display visible or to improve its visibility, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.
- (4) The display does not cause a reduction in federal highway funds, as provided in Section 131 of Title 23 of the United States Code.

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 2/19/2008

DEPARTMENT ID NUMBER: ED 08-08

Staff recommends that similar legislation be pursued by the City based on the fact that the subject sign is critical to Association members, as none of the automobile dealerships on Beach Boulevard are visible from the 405 freeway, and these businesses rely heavily on the readerboard sign as their primary form of advertising. Huntington Beach automobile dealers are at a disadvantage based on their distance from the freeway and the fact that they are not within an "Auto Square".

In addition, the special legislation may permit the City to advertise other goods and services that are not specifically located within the redevelopment project area, which benefits the economic viability of businesses in our community.

Strategic Plan: C-2:

Provide quality public services with the highest professional standards to meet community expectations and needs, assuring that the City is sufficiently staffed and equipped overall.

Environmental Status:

Not applicable.

Attachment(s):

| City Clerk's Page Number | No. | Description |
|-----------------------------|-----|---|
| 4 | 1. | Resolution No. <u>2008-14</u> |
| 7 | 2. | Memo to the Intergovernmental Relation Committee dated January 29, 2008 |
| 73 | 3. | SB 1411 (Johnson) Highways: Outdoor Advertising |
| 80 | 4. | California Business & Profession Code 5440 |

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ATTACHMENT #1

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A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH SUPPORTING
SPECIAL LEGISLATION PERTAINING TO ADVERTISING CONTENT ON
THE EXISTING FREEWAY READERBOARD SIGN

WHEREAS, the City of Huntington Beach is the owner of a long, narrow, irregularly-shaped parcel containing approximately 5,200 square feet located west of Beach Boulevard, along Center Avenue, and south of and contiguous to the line of the Edison right-of-way adjacent to the San Diego Freeway ("Site").

The City has previously entered into a lease agreement with the Redevelopment Agency of the City of Huntington Beach and the Redevelopment Agency has in turn leased the Site to the Huntington Beach Auto Dealers Association for the purposes of the erection of an electronic readerboard sign.

The City has recently been notified by the California Department of Transportation (CalTrans) that the existing readerboard sign is not in compliance with CalTran's requirements regarding advertising on readerboard signs adjacent to the San Diego Freeway to businesses within a Redevelopment Project Area.

The City Council now desires to pursue the adoption of legislation that would authorize the continued use of the Site for the existing readerboard sign by the Auto Dealers Association and other businesses located within the City of Huntington Beach.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. The City Council hereby directs staff and the City's legislative lobbyist to pursue legislation pertaining to advertising content on the existing readerboard sign.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 20____.

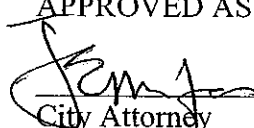
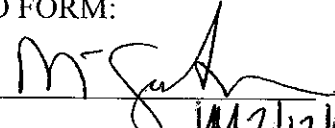
REVIEWED AND APPROVED:



City Administrator

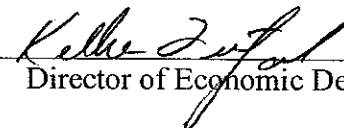
Mayor

APPROVED AS TO FORM:

City Attorney
2.12.08 11/21/08

INITIATED AND APPROVED:

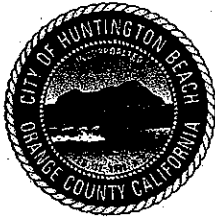


Director of Economic Development

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ATTACHMENT #2

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CITY OF HUNTINGTON BEACH
INTER-DEPARTMENT COMMUNICATION
Economic Development Department

TO: Intergovernmental Relations Committee Members

FROM: Stanley Smalewitz, Director of Economic Development 

DATE: January 29, 2008

SUBJECT: AUTO DEALERS ASSOCIATION ELECTRONIC READERBOARD SIGN PERMIT

The purpose of this memo is to recommend that the Intergovernmental Relations Committee make a motion to the City Council for special legislation regarding the Auto Dealer's Association readerboard sign located along Center Avenue, south of the 405 freeway. The City has been notified by the Outdoor Advertising Division of CalTrans that the existing sign is in violation of permitting requirements. More specifically, the current CalTrans requirements for a redevelopment permit limit all advertising on the sign to be limited to businesses within the redevelopment project area.

Since the permit was originally issued in 1992, the readerboard sign has been advertising all of the dealerships along the Beach Boulevard of Cars. These dealerships are not within a redevelopment project area. Caltrans has been cooperative with the City by suspending the Notice of Violation until a workable solution is reached. They have identified two options in correcting the notice of violation.

The first is expanding the redevelopment project area to include all of the dealerships along Beach Boulevard. This is not a feasible solution given the fact that in order to include these areas into the merged project area, the City would have to justify that there exists both physical and economic blight on these properties. This process could take as long as 18 to 24 months and is not a feasible solution considering the time and expense involved.

The second option is introducing special legislation to the State that would exempt Huntington Beach from the advertising limitations on the readerboard sign. This type of legislation has also been enacted by several other cities in both Orange County and Los Angeles County including the cities of Costa Mesa, Buena Park, and Commerce.

The following timeline provides an account of the efforts of the City staff in working with CalTrans on this issue:

- On May 3, 2007, staff requested assistance from Cal Trans regarding extending the original permit for the sign (Permit #39771).
- On May 10, 2007, staff received an e-mail from Kenneth Parmelee (CalTrans) indicating that the permit had been cancelled and that the next step would be applying for a redevelopment permit. Staff was told that they would be contacted by Gerda Holstrom who would provide information on the next steps in the permitting process.

- On June 18, 2007, we received a response from Gerda Holstrom in the form of a Notice of Violation (Violation #V12—0008) indicating that the existing sign does not have a permit.
- On June 22, 2007, staff submitted an application for a redevelopment permit based on direction given from Kenneth Parmelee (CalTrans).
- On July 6, 2007, we requested an appeal to the Notice of Violation.
- On August 2, 2007, staff met with CalTrans staff to discuss the Notice of Violation and alternatives for correcting the violation. Declassification of the subject site was identified as a possible option for resolving this issue.
- On August 3, 2007, staff sent an e-mail to Monica Wilson (CalTrans) to request a permit for the sign based on the operation of an on-site internet sales office within the Redevelopment Project area in an effort to resolve the issue. This option was discussed at the Aug. 2 meeting and this e-mail requested a response to this option in addressing the Notice of Violation.
- On August 23, 2007, staff sent a request letter to Keith Robinson to declassify the property under the sign as a CalTrans Landscape corridor. This an option provided to city staff by Monica Wilson which at the meeting with CalTrans staff held on August 2, 2007. Declassifying the property would no longer subject the sign to the strict advertising requirements of a redevelopment sign permit.
- On October 8, 2007, a follow-up e-mail was sent to Monica Wilson requesting a response to our e-mail request dated August 3, 2008.
- On October 9, 2007, staff received an e-mail response from Gerda Holmstrom apologizing for the delay and indicating that a formal response would be forthcoming within the next two weeks.
- On October 12, 2007, staff received a letter from Keith Robinson in response to our request for declassification on August 23, 2007. The request was denied on the basis that the property is fully landscaped and therefore should retain its "Landscaped Freeway" designation.
- On November 2, 2007, staff received a response from James Arbis (CalTrans – replaced Monica Wilson as Chief of Outdoor Advertising) to the original August 3, 2007 e-mail. He indicated that he is discussing the matter with his legal department and will provide an update shortly.
- On January 14, 2008, staff participated in a conference call with James Arbis who identified the two options identified in this memo for legalizing the readerboard sign. He indicated that CalTrans would support special legislation for the readerboard sign, given the circumstances related to the original permitting of the sign and distance of the dealerships from the freeway. He also indicated that the Notice of Violation would be suspended until a workable solution was found to permit the sign.

Attached to this memo are all of the correspondence between Cal Trans and the City regarding the sign permit issue. Please contact Paul Da Veiga @ x5544 with any questions.

DEPARTMENT OF TRANSPORTATION**DIVISION OF TRAFFIC OPERATIONS**

1120 N STREET, MS 36

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-6473

FAX (916) 651-9359

www.dot.ca.gov/oda

**RECEIVED**

NOV - 7 2007

*Flex your power!
Be energy efficient!***DEPARTMENT OF
ECONOMIC DEVELOPMENT**

November 2, 2007

Mr. Paul Da Veiga
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: City of Huntington Beach – Redevelopment Electronic Message Center Display

Dear Mr. Paul Da Veiga,

My name is James Arbis and I am responding to your inquiries regarding the Huntington Beach Message Center Display. Thank you for your correspondence regarding Notice of Violation No. V12-0008 dated June 15, 2007 sent to the City of Huntington Beach.

I understand that you have met with Monica Wilson-Pough and some of her staff members in the past regarding this issue. Recently, Mrs. Wilson-Pough has departed from the state Outdoor Advertising Program and I am currently acting in this capacity. With this said, the program continues to be in contact with our legal division concerning the suggestions you have proposed to correct the violation. I truly apologize for our delay in responding to your concerns and I respectfully ask for your patience regarding resolution to this matter.

The program is in receipt of your request for an appeal to be heard by the Office of Administrative Hearing, however a date and time has not yet been scheduled. Nonetheless, it is my desire to continue our correspondence and hopefully we can resolve the issues prior to an appeal hearing.

Please feel free to contact me at (916) 654-6413 or Gerda Holmstrom at (619) 688-3282. Again, thank you for your patience and I will be in contact with you in the very near future.

Sincerely,

JAMES ARBIS, Chief
Outdoor Advertising Program

DEPARTMENT OF TRANSPORTATION

DESIGN PROGRAM

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-6200

FAX (916) 654-3770

TTY (916) 654-4086

RECEIVED

OCT 18 2007

*Flex your power!
Be energy efficient!*DEPARTMENT OF
ECONOMIC DEVELOPMENT

October 12, 2007

Paul Da Veiga
Economic Development Project Manager
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

F.Y.I.

Dear Mr. Da Veiga:

This letter is in response to your August 23, 2007, letter requesting declassification of the "Landscaped Freeway" designation along Route 405 at post mile 16.64, in Orange County, at your existing display north of Beach Boulevard. A licensed landscape architect from my office had an initial telephone discussion with you on September 12, 2007, and then physically inspected the area on October 10, 2007.

The planting within the Route 405 right-of-way adjacent to your display meets the criteria in the Outdoor Advertising Regulations and I am required to retain the "Landscaped Freeway" designation.

The State right-of-way adjacent to, and in the vicinity of, your display is fully landscaped on both sides of the freeway. The planting includes ice plant, palms, pines, floss silk trees, brisbane box trees, African tulip trees, and tipu trees. It is irrigated with an automatic irrigation system.

If you have any questions, you may contact Dale Williams of my office at (916) 654-6025.

Sincerely,

KEITH ROBINSON, Principal
Landscape Architecture Program

DaVeiga, Paul

From: Gerda Holmstrom [gerda_holmstrom@dot.ca.gov]
Sent: Tuesday, October 09, 2007 10:26 AM
To: Monica Wilson
Cc: James Arbis; Jerry Champa; Fritzal, Kellee; DaVeiga, Paul; Smalewitz, Stanley
Subject: Huntington Beach reply

Hello Paul,

Sorry about the delay in responding to your last email and phone call. I want to follow up with my voicemail message that I left for you. As you know, Monica Wilson is with another program and no longer with Outdoor Advertising. We are trying to fill in as best as possible until the next manager of the program is hired. We did have a meeting with our legal staff shortly after your email was received and discussed the different options you have for the reader board. A letter was supposed to be sent to you after that meeting but did not go out. We will resurrect those options and send you a letter and email within the next 2 weeks.

Thank you again for your patience during this transition period. Please feel free to contact me at any time.

Gerda Holmstrom
Outdoor Advertising Program
619-688-3267

Monica
Wilson/HQ/Caltrans/CAGov

10/08/2007 04:38
PM

"DaVeiga, Paul"
<PDaVeiga@surfcity-hb.org>

To

cc

"Smalewitz, Stanley"
<SSmalewitz@surfcity-hb.org>,
"Fritzal, Kellee"
<KFritzal@surfcity-hb.org>, "Gerda
Holmstrom"
<gerda_holmstrom@dot.ca.gov>,
"James Arbis"
<james_arbis@dot.ca.gov>, "Jerry
Champa" <jerry_champa@dot.ca.gov>

Subject

Re: Follow Up(Document link: Gerda
Holmstrom)

I tried calling you back that day but I continued to get a busy signal, I wanted to inform you that I no longer work in the ODA Program. I spoke with Gerda Holmstrom and James Arbis of the program and informed them that you were attempting to make contact with the program. I thought they had already returned your call. I will fwd this message to both Gerda and James who will return your call tomorrow.

DaVeiga, Paul

From: Keith Robinson [keith_robinson@dot.ca.gov]
Sent: Monday, October 08, 2007 2:38 PM
To: DaVeiga, Paul
Cc: Smalewitz, Stanley; Fritzal, Kellee
Subject: Re: City of Huntington Beach - Readerboard Sign

Good afternoon Paul

Have you spoken to Dale Williams of mgt office? I thought you two had discussed your request.

I will talk to Dale tomorrow and get back to you.

Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

----- Original Message -----

From: "DaVeiga, Paul" [PDaVeiga@surfcity-hb.org]
Sent: 10/08/2007 02:36 PM
To: Keith Robinson
Cc: "Smalewitz, Stanley" <SSmalewitz@surfcity-hb.org>; "Fritzal, Kellee" <KFritzal@surfcity-hb.org>
Subject: City of Huntington Beach - Readerboard Sign

Hello Keith,

I am following up on correspondence that was sent to your office on August 23, 2007. We have yet to receive a response from your office regarding the request to declassify the portion of land that contains our existing readerboard sign from the CALTRANS landscape corridor. I have attached a copy of the letter for your reference. We are anxiously awaiting a response from you as to how to proceed with the permitting of our electronic reader board sign. Thank you for your assistance in this matter.

Paul Da Veiga
Project Manager
Economic Development Department
City of Huntington Beach
(714) 536-5544

F1 . 13

11/9/2007

DaVeiga, Paul

From: Keith Robinson [keith_robinson@dot.ca.gov]
Sent: Monday, October 08, 2007 2:38 PM
To: DaVeiga, Paul
Cc: Smalewitz, Stanley; Fritzal, Kellee
Subject: Re: City of Huntington Beach - Readerboard Sign

Good afternoon Paul

Have you spoken to Dale Williams of mgt office? I thought you two had discussed your request.

I will talk to Dale tomorrow and get back to you.

Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

----- Original Message -----

From: "DaVeiga, Paul" [PDaVeiga@surfcity-hb.org]
Sent: 10/08/2007 02:36 PM
To: Keith Robinson
Cc: "Smalewitz, Stanley" <SSmalewitz@surfcity-hb.org>; "Fritzal, Kellee" <KFritzal@surfcity-hb.org>
Subject: City of Huntington Beach - Readerboard Sign

Hello Keith,

I am following up on correspondence that was sent to your office on August 23, 2007. We have yet to receive a response from your office regarding the request to declassify the portion of land that contains our existing readerboard sign from the CALTRANS landscape corridor. I have attached a copy of the letter for your reference. We are anxiously awaiting a response from you as to how to proceed with the permitting of our electronic reader board sign. Thank you for your assistance in this matter.

Paul Da Veiga
Project Manager
Economic Development Department
City of Huntington Beach
(714) 536-5544

DaVeiga, Paul

From: Monica Wilson [monica_wilson@dot.ca.gov]
Sent: Monday, October 08, 2007 4:38 PM
To: DaVeiga, Paul
Cc: Smalewitz, Stanley; Fritzal, Kellee; Gerda Holmstrom; James Arbis; Jerry Champa
Subject: Re: Follow Up

I tried calling you back that day but I continued to get a busy signal, I wanted to inform you that I no longer work in the ODA Program. I spoke with Gerda Holmstrom and James Arbis of the program and informed them that you were attempting to make contact with the program. I thought they had already returned your call. I will fwd this message to both Gerda and James who will return your call tomorrow.

----- Original Message -----

From: "DaVeiga, Paul" [PDaVeiga@surfcity-hb.org]
Sent: 10/08/2007 02:20 PM
To: Monica Wilson
Cc: "Smalewitz, Stanley" <SSmalewitz@surfcity-hb.org>; "Fritzal, Kellee" <KFritzal@surfcity-hb.org>
Subject: Follow Up

Hello Monica,

I am following up on our telephone conversation from last week in which I was requesting a reply to our e-mail dated August 3, 2007. I have included a copy of the e-mail below for your reference. We are anxiously awaiting a response from you as to how to proceed with the permitting of our electronic reader board sign. Thank you for your assistance in this matter.

Paul Da Veiga
Project Manager
Economic Development Department
City of Huntington Beach
(714) 536-5544

August 3, 2007

Dear Monica and Gerda,

Thank you for the opportunity to meet with you this morning. We appreciate the information that you provided and potential solutions regarding the continued use of our readerboard sign. The original sign permit issued by Cal Trans was approved in 1992 with the understanding the dealerships that were members of the Automobile Dealers Association ("Association") would advertise on the subject sign since the Association itself operated an administrative office within the redevelopment project area. A substantial investment by the City, Agency, and Association was been made for the sole purpose of advertising Association dealers on the subject sign.

We have since been informed through a Notice of Violation that after 15 years of continuous operation that Cal Trans claims that the subject sign is no longer consistent with the provisions of the State of California Outdoor Advertising Act. While the City disputes any such claims, we are willing to do what is necessary to

comply with this recent position taken by your agency and would like to explore the option of having the Association operate an internet-based sales office(s) within the Huntington Center Redevelopment Project Area in an effort to resolve this issue. The sales office(s) would conduct full time internet sales for each individual Association dealer having either a shared or individual location on the project. Our contention is that by establishing an on-site internet sales office (s) that is operated and functions on behalf of all of the dealerships of the Association, there should be no question as to the dealerships ability to advertise on the project sign. Moreover, the sales office(s) will operate under a valid DMV vehicle sales license and will be continuously occupied by employee(s) of the Association.

This is one option of many that the City and Redevelopment Agency is exploring in order to resolve this issue. It should be noted, however, that we believe it is our right to advertise the Association auto dealers on the sign based on the original permit issued by Cal Trans and the continued use of the sign which has not changed in 15 years. We do not feel that the Notice of Violation is justified based on the circumstances and history of permitting by your Agency. We look forward to collaborating with you on a workable solution that meets the needs of both Cal Trans and the City of Huntington Beach. Once again, thank you for your time. Please contact me at (714) 536-5544 or via e-mail if you have any further questions or comments.



City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT
Business Development - Housing - Real Estate - Redevelopment
714.536.5582 www.hbbiz.com fax - 714.375.5087

June 22, 2007

Monica Wilson
California Department of Transportation
Outdoor Advertising Program, M5-36
P.O. Box 942874
Sacramento, CA 94274

RE: REQUEST FOR ISSUANCE OF REDEVELOPMENT PERMIT FOR ELECTRONIC
MESSAGE CENTER SIGN

Dear Ms. Wilson:

Attached you will find an application for a redevelopment permit regarding the existing electronic message center sign. After researching our records and CalTrans requirements regarding permit issuance, we were unsure if there was a need to request an extension of Permit No. 39771. The existing sign is an 85-foot tall double-faced sign on a remnant portion of City-owned land between Center Avenue and the Beach Boulevard freeway off-ramp. The height and size of the sign are designed to be visible from the 405 freeway and to inform freeway traffic of the existence of automobile dealers on Beach Boulevard.

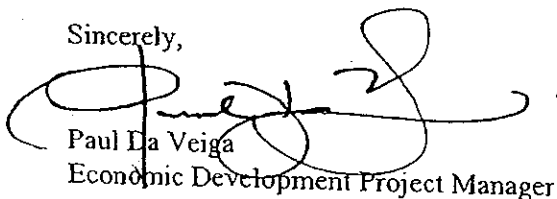
On May 3, 2007, we requested assistance from your department regarding extending the original permit for the sign (Permit #39771). We received an e-mail from Kenneth Parmelee of your office indicating that the permit had been cancelled and that the next step would be applying for a redevelopment permit. In the midst of our communication, we also received a Notice of Violation (Violation #V12-0008) from Gerda Holstrom indicating that the existing sign does not have a permit. Please notify Ms. Holstrom that we are in the process of applying for a redevelopment permit and are attempting to address this issue promptly.

The City of Huntington Beach, as property owner, leases the parcel to the City's Redevelopment Agency who is co-applicant on the permit. The Redevelopment Agency in turn subleases the land to the Huntington Beach Auto Dealer's Association. The Auto Dealer's Association has existing agreements with the Agency to operate and maintain the sign while the City maintains the surrounding landscape. In addition, the auto dealers maintain an office within the Huntington Center Redevelopment Project Area as required under the current Development Agreement between the Redevelopment agency and Auto Dealer's Association.

Please inform me of any additional information that you may need to proceed with our request. Feel free to contact me any time at (714) 536-5544 or via e-mail at pdaveiga@surfcity-hb.org.

F1.17

Sincerely,



Paul Da Veiga
Economic Development Project Manager

Attachments

Sister Cities: Anjo, Japan • Waitakere, New Zealand

Powell, Doris

From: DaVeiga, Paul
Sent: Friday, May 11, 2007 4:02 PM
To: Smalewitz, Stanley; Mulvihill, Leonie; James, Jane; Powell, Doris
Subject: FW: City of Huntington Beach

Follow Up Flag: Follow up
Flag Status: Red

Attachments: City of Huntington Beach.pdf



City of
Huntington Beach.pdf

FYI

-----Original Message-----

From: Kenneth Parmelee [mailto:kenneth_parmelee@dot.ca.gov]
Sent: Thursday, May 10, 2007 10:47 AM
To: Gerda Holmstrom
Cc: Monica Wilson; DaVeiga, Paul
Subject: City of Huntington Beach

Good morning Gerda,

I received a letter from the City of Huntington Beach yesterday, requesting a permit extension for permit #39771. Here is a scanned copy of the letter:

(See attached file: City of Huntington Beach.pdf)

According to the ODA database, this permit was cancelled on October of 1998, and I cannot determine the reason why. This permit is located in Orange County. Do you have the original permit file on this permit? Based on this letter, it appears that the City of Huntington Beach leases the parcel to the City's Redevelopment Agency, and the redevelopment agency subleases the land to the permitholder, the Huntington Beach Autodealer. The fact that there is a redevelopment agency involved in this project may explain why permit #39771 was cancelled.

If we determine that this sign is in a redevelopment area, and that the advertising copy only includes businesses within that redevelopment area, I don't think we would grant a permit extension. I feel that the next step would be having them apply for a redevelopment permit. Could you please assist me on this matter? Paul Da Veiga of the City of Huntington Beach would like us to respond to him in writing.

Thank you.

Ken

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
OUTDOOR ADVERTISING (ODA) DISPLAY PERMIT APPLICATION
 ODA-0002 (REV. 12/2006)

Page 1 of 2

PERSONAL INFORMATION NOTICE:

Pursuant to the Federal Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right upon request and proper identification to inspect all personal information in any record maintained on the individual by an identifying particular.

ADA NOTICE: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 653-3657 or TDD (916) 654-3880 or write to Records and Forms Management 1120N Street, MS-89, Sacramento, CA 95814.

DO NOT WRITE IN SHADED AREAS

| | | | | |
|-----------------------------|--------|-------------------------|--------------------|---------------|
| DISTRICT | COUNTY | ROUTE | POSTMILE | PERMIT NUMBER |
| ROAD/STREET | | | | |
| CSR NUMBER | | DATE GRANTED | APPLICATION NUMBER | |
| TEMPORARY PERMIT ISSUE DATE | | FINAL PERMIT ISSUE DATE | | |
| PERMIT EXPIRATION DATE | | | | |

COMPLETE ALL SECTIONS. ISSUANCE OF A PERMIT WILL BE DELAYED UNLESS ALL ITEMS ARE FILLED IN AND THE PROPER FEES REMITTED. IF APPROVED, A COPY WILL BE RETURNED FOR YOUR RECORDS.

MAIL TO: DEPARTMENT OF TRANSPORTATION, Division of Traffic Operations MS 36; ODA Branch, P.O. Box 942874, Sacramento, CA 94274-0001
 www.doT.ca.gov/oda

SECTION 1 - FEES (NO CASH ACCEPTED BY MAIL)

MAKE CHECK PAYABLE TO: DEPARTMENT OF TRANSPORTATION, OR PROVIDE THE INFORMATION BELOW TO APPLICABLE CREDIT CARD.

| | | |
|--|-------------|--|
| APPLICATION (non refundable) <input checked="" type="checkbox"/> \$300 | PERMIT FEES | 2004-2008 <input type="checkbox"/> \$500 |
| PENALTY (required if display was placed prior to obtaining permit) <input type="checkbox"/> \$100 | | 2005-2008 <input type="checkbox"/> \$400 |
| PRELIMINARY REVIEW REQUEST (If approved, \$100 will be applied towards the application fee per CA Code of Regulations Section 5486) <input type="checkbox"/> \$200 | | 2006-2008 <input type="checkbox"/> \$300 |
| | | 2007-2008 <input type="checkbox"/> \$200 |
| | | 2008 <input type="checkbox"/> \$100 |

(Department operates on a 5 year billing cycle: 2004-2008. Companies that have more than 10 permitted displays; known as pro-rata companies, may pay on an annual basis)

TOTAL FEES PAID: \$ 300.00

METHOD OF PAYMENT: ☒ CHECK NUMBER 00119 ☐ VISA ☐ MASTERCARD ☐ AMERICAN EXPRESS ☐ DISCOVER Expiration Date: _____

CHARGE ACCOUNT NUMBER: _____ TOTAL FEES CHARGED: _____ AUTHORIZED SIGNATURE: _____

SECTION 2 - DISPLAY TYPE (CHECK THE APPROPRIATE BOX(ES))

☐ STATIC DISPLAY ☒ TRI-VISION/MESSAGE CENTER DISPLAY ☒ REDEVELOPMENT DISPLAY ☐ PRIVATE DIRECTIONAL DISPLAY ☐ PUBLIC DIRECTIONAL DISPLAY

SECTION 3 - APPLICANT

PERMIT APPLICANT (Please print or type name of firm or individual desiring permit)
HUNTINGTON BEACH AUTO DEALERS ASSOCIATION

ODA LICENSED? ☐ YES ☒ NO

STREET ADDRESS (CANNOT be a Post Office Box)
7755 CENTER DRIVE 11TH FLOOR

CITY **HUNTINGTON BEACH**

STATE **CA** ZIP CODE **92647**

MAILING ADDRESS, IF DIFFERENT (Street Address or P.O. Box)
SAME

CITY **SAME** STATE **SAME** ZIP CODE **SAME**

LICENSE NUMBER **N/A**
 BUSINESS PHONE NO. **714-372-7209**

SECTION 4 - PROPERTY

PROPERTY OWNER (Person in control of property upon which display is situated)
ECONOMIC DEVELOPMENT

ASSESSOR'S PARCEL NO. **142-34-212** ZONING **C-2 REDEVELOPMENT**

STREET ADDRESS/P.O. BOX
2000 MAIN STREET

CITY **HUNTINGTON BEACH** STATE **CA** ZIP CODE **92648**

BUSINESS PHONE NO. **714-536-5582**

SECTION 5 - DISPLAY LOCATION INFORMATION

COUNTY NAME **ORANGE** CITY NAME (if incorporated) **HUNTINGTON BEACH** (circle)

FEET / MILES **600'** (Circle) NAME OF NEAREST CROSSROAD, OVER / UNDERPASS **ON THE N S E W SIDE OF 405 FREEWAY**

IDENTIFY A BUSINESS ACTIVITY BY NAME THAT IS WITHIN 1,000 FEET OF THE DISPLAY LOCATION
HOTEL HUNTINGTON BEACH

STREET ADDRESS OF THE BUSINESS ACTIVITY
7667 CENTER AVE HUNTINGTON BEACH

SECTION 6 - DISPLAY CONFIGURATION

NOTE: V - Shaped structures are separate displays and require two applications

COPY ☐ ONE SIDE ☒ BOTH SIDES ☐ 1/2 OF A V-SHAPED DISPLAY

PANEL HEIGHT **46** LENGTH **41** DISPLAY ID NUMBER (optional) _____

UPRIGHTS NUMBER **2** SIZE **5'** MATERIAL ☒ METAL ☐ WOOD ☐ OTHER _____

ILLUMINATION? ☒ YES ☐ NO INDICATE FACING **N S E W** DISTANCE FROM BOTTOM PANEL TO GROUND **40'**

MESSAGE CENTER ☒ ELECTRONIC BOARD ☒ L.E.D. ☒ TRI-VISION

SECTION 7 - REQUIRED DOCUMENTS

Applications submitted without ALL of the following documents will be returned:

☒ Building Permit (City or County written permission)**
☒ Detailed plot map of the proposed display location
☒ Evidence of Property Owner's Consent**
☒ Assessor's Parcel Map
☒ Assessor's Property Ownership Information
☒ Consent of Redevelopment Agency (if applicable)
 ** (NOTE: Not required if submitting a preliminary review)

CHECK ONE
☒ An imprint is placed at the location
☐ An imprint will be placed by: _____ (Date) _____

SECTION 8 - SIGNATURE

NAME (Please print)
Jim Upp

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT **[Signature]**

ADDRESS **7755 Center Drive 11th Floor** CITY **Huntington Beach** BUSINESS PHONE NO. **714-372-7209** DATE **5-14-2007**

STATE **Ca** ZIP CODE **92647**

The applicant hereby agrees to place and maintain the advertising display described above in accordance with the provisions of the Outdoor Advertising Act, State Regulations, and local zoning ordinances. The applicant certifies that the statements made in this application are true, and understands that an incorrect statement of fact may be grounds for permit denial or for permit revocation.



CITY OF HUNTINGTON BEACH

2000 MAIN ST.
HUNTINGTON BEACH, CA 92648

No. U01551

DEPARTMENT OF
COMMUNITY DEVELOPMENT
P.O. BOX 190 - CALIFORNIA 92648
(714) 536-5241

***** DUPLICATE ***** BUILDING PERMIT

Permit Number: B029909

Bldg. Address: 7991 CENTER

EXIST. BLDG.

Owner:

H.B. AUTO DEALERS AS

2000 MAIN ST.

HUNTINGTON BEACH

Ph. (714) 536-3224

CA 92648

Tract: NA

Building Use: COM. - FREEWAY SIGN

Contractor:

BELLFLOWER NEON SIGN CO.

12027 E 170TH

ARTESIA

Ph. (213) 926-9593

St. No. C4510-3970

Architect or Engineer

ADAMS ENGINEERING

11022 ACACIA PKWY.

GARDEN GROVE

Ph. (714) 636-0294

St. No. 10163

PC # 513 RD #242

Lot: NA Block: NA

CA 90701

City Lic. A138486

CA 92640

Comments: INSTALL TWO ILLUMINATED POLE MOUNT FREEWAY PYLON SIGNS

Sq. Ft. Living:

Garage:

Misc.:

Desc.:

Loc. Group:

Public Building? NO

Census Code: 999

Planning Action: CUP 92-31

No. Stories:

No. Families:

Constr. Type: VN

Zone: C2

Bldg. Use: COMM

Valuation: 361000

Bldg. Code: ADD

Occ. Load:

Park. Spaces:

Coastal Permit? NO

Appl. Date: 09/11/92 Landuse: SM 09/21/92 Authorized: RDC 09/21/92

Plancheck: JMS 09/15/92 PC Receipt # 292037

Issued: ECD 09/24/92 Permit/Receipt # B-029909

| PERMIT FEES | | | PERMIT FEES | | |
|-------------|---------|---------------|--------------|--------|---------------|
| DESCRIPTION | AMOUNT | ACCOUNT | DESCRIPTION | AMOUNT | ACCOUNT |
| INSPECTION | 1553.00 | RAACD23430600 | ISSUANCE | 15.00 | RAACD23430600 |
| PLANCHECK | 1009.45 | ** PAID ** | PENALTY | 0.00 | RAACD23463000 |
| LIBRARY | 0.00 | RAACD23471100 | PARKS & REC. | 0.00 | RSKCD23435500 |
| INSERVATION | 75.81 | GAA 00020116 | P/PLANCHECK | 0.00 | RAACD23133800 |
| CRD COPY | 3.00 | GUJ 00022555 | | | |

TOTAL FEE 1646.81

Permit/Receipt # B-029909

Issued: ECD 09/24/92

F1.20

CERTIFICATE OF EXEMPTION FROM WORKER'S COMPENSATION INSURANCE

Action need not be completed if the permit is for one hundred dollars (\$100) or less.
If that in the performance of the work for which this permit is issued, I shall not employ any
in any manner so as to become subject to Worker's Compensation Laws.

TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to
rker's Compensation provisions of the Labor Code, you must forthwith comply with such provision
permit shall be deemed revoked.

LICENSED CONTRACTORS DECLARATION

I affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of
3 of the Business and Professions Code, and my license is in full force and effect.

Number _____ Lic. Class _____
for _____ Date _____

I am exempt from the licensing requirements as I am a licensed architect or a registered professional
neer acting in my professional capacity (Section 7051, Business and Professions Code).

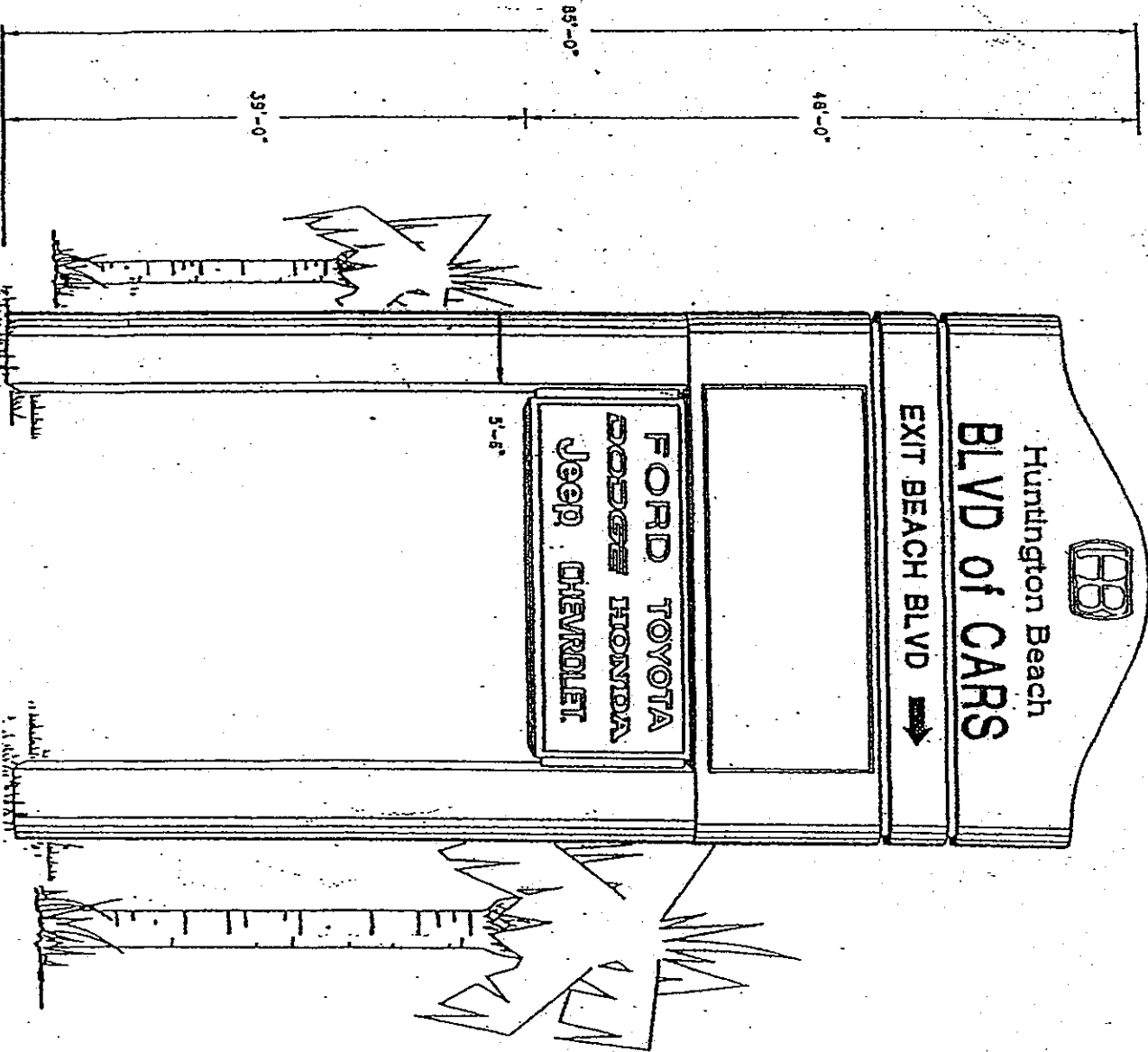
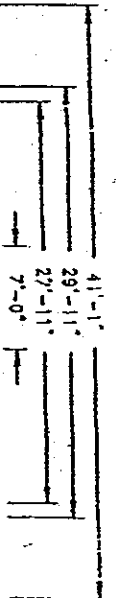
OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason. [(Sec.
7031.5) Business and Professions Code: Any city or county which requires a permit to construct,
alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant
for such permit to file a signed statement that he is licensed pursuant to the provisions of the
Contractor's License Law (Chapter 9) (commencing with Section 7000) of Division 3 of the
Business and Professions Code, or that he is exempt therefrom and the basis for the alleged
exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant
to a civil penalty of not more than five hundred dollars (\$500).]

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the
work, and the structure is not intended or offered for sale. (Sec. 7044) Business and Professions Code:
The Contractor's License Law does not apply to an owner of property who builds or improves thereon,
and who does such work himself or through his own employees, provided that such improvements
are not intended or offered for sale. If, however, the building is intended

EXISTING SIGN

- City Building Permit 9-4-92
- Original State Permit 3-18-92

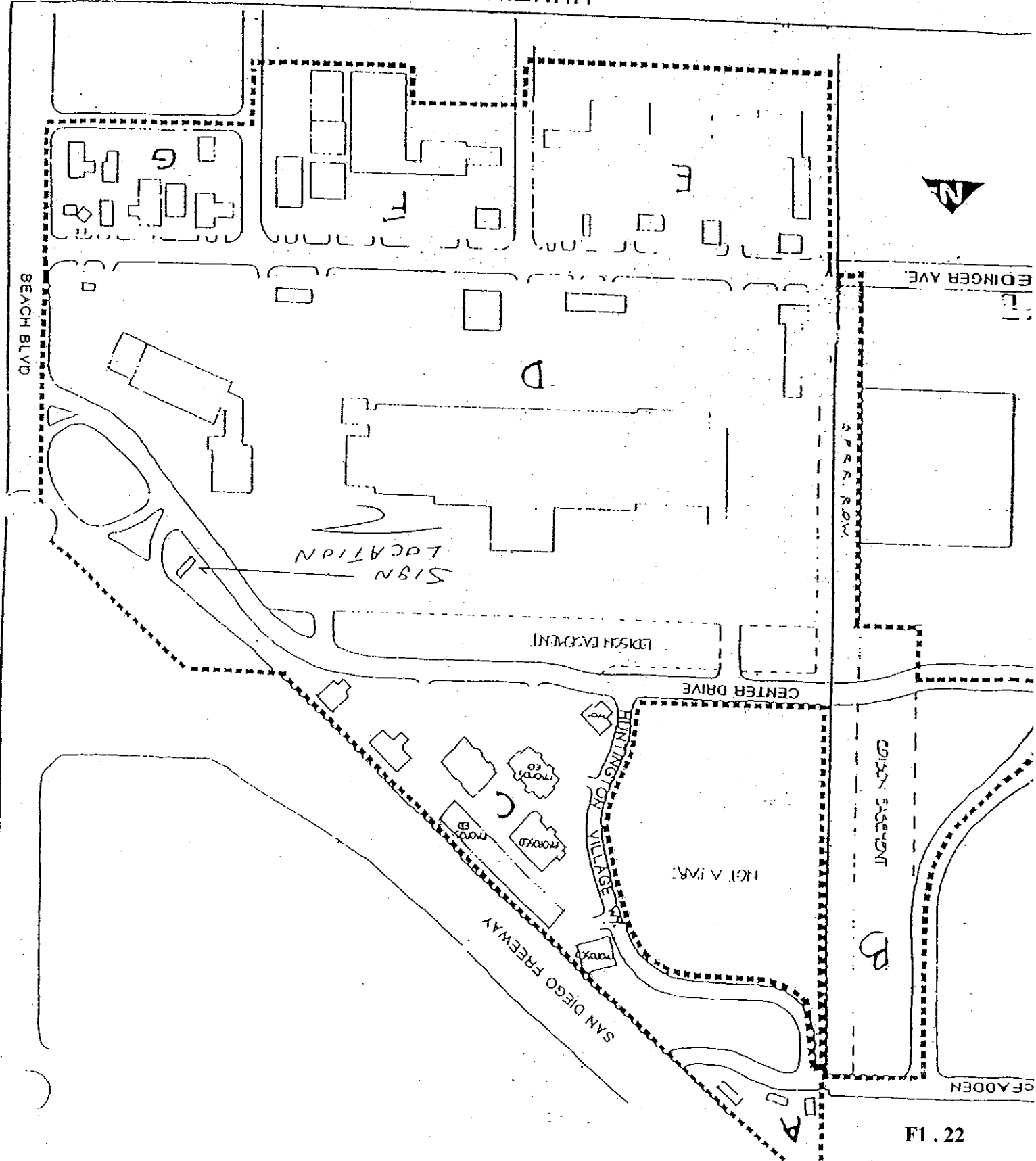


| | | | |
|---------------------------------------|--------------------|----------|---------------|
| Project HUNTINGTON BEACH BLVD OF CARS | DATE 3/28/93-3010C | APPR. BY | SCALE 1"=150' |
| DRAWN BY DOK | 7030-P08A-52014 | | |



HUNTINGTON BEACH CALIFORNIA
PLANNING DIVISION

HUNTINGTON CENTER COMMERCIAL
DISTRICT REDEVELOPMENT PROJECT
AREA





City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT
Business Development • Housing • Real Estate • Redevelopment
714.536.5582 www.hbbiz.com fax - 714.375.5087

June 22, 2007

Monica Wilson
California Department of Transportation
Outdoor Advertising Program, M5-36
P.O. Box 942874
Sacramento, CA 94274

RE: EVIDENCE OF PROPERTY OWNERSHIP/PROPERTY OWNERSHIP
CONSENT

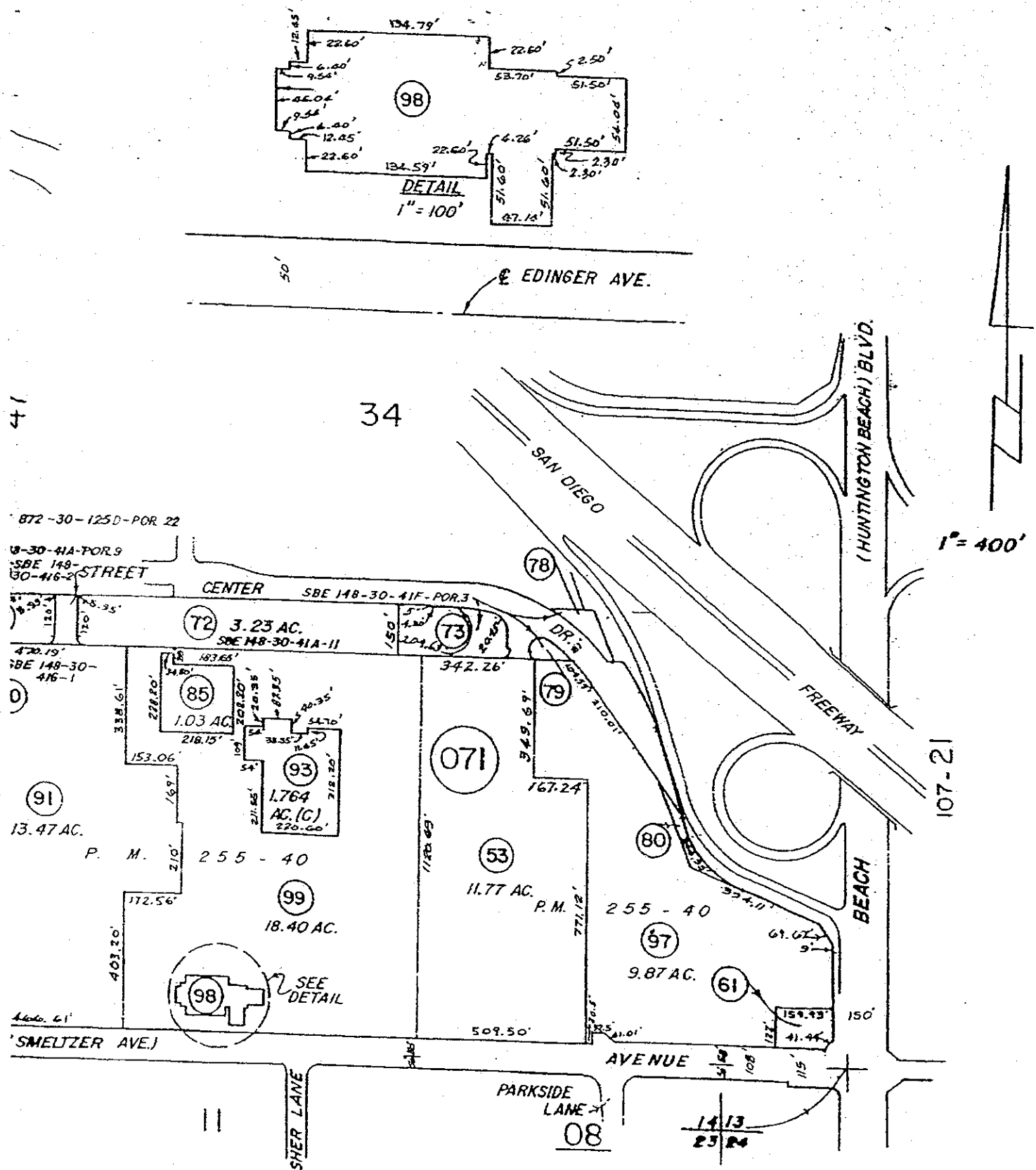
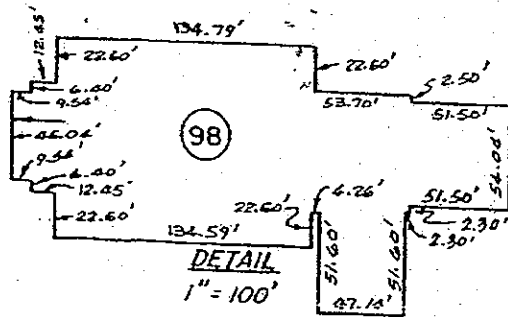
Dear Ms. Wilson:

This letter serves as verification that the subject site is within the City's right of way and thus, is owned by the City of Huntington Beach. Please see the enclosed Cal Trans form which contains the certification by display owner of the message center within the Huntington Center Commercial District Redevelopment Project Area. The property owner consent was signed by Stanley Smalewitz, Director of Economic Development.

Sincerely,

Paul Da Veiga
Economic Development Project Manager

F1.23



NOTE - ASSESSOR'S BLOCK 8
PARCEL NUMBERS
SHOWN IN CIRCLES

ASSESSOR'S MAP
BOOK 142 PAGE 07
COUNTY OF ORANGE



City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT
Business Development • Housing • Real Estate • Redevelopment
714.536.5582 www.hbbiz.com fax - 714.375.5087

June 22, 2007

Monica Wilson
California Department of Transportation
Outdoor Advertising Program, M5-36
P.O. Box 942874
Sacramento, CA 94274

RE: EXISTING HUNTINGTON BEACH AUTO DEALERS ELECTRONIC
FREEWAY DISPLAY

Dear Ms. Wilson:

Attached is a list of the dealers belonging to the Huntington Beach Auto Dealers Association. These dealers are allowed to advertise on the existing electronic freeway display sign, which is located within the Huntington Center Commercial District Redevelopment Project Area.

Sincerely,

Paul Da Veiga
Economic Development Project Manager

F1.25

**Huntington Beach Auto Dealers Association
7755 Center Avenue
Huntington Beach, CA 92647**

**Huntington Beach Chrysler, Jeep,
Hummer**

Heritage Mazda

Toyota of Huntington Beach

DeLillo Chevrolet

Norm Reeves Honda

McKenna Motors Huntington Beach

Saturn of Huntington Beach

Huntington Beach Ford

Douglas Nissan of HB

Huntington Beach Dodge

Huntington Beach Mitsubishi

***City of Huntington Beach/
Redevelopment Agency
2000 Main Street
Huntington Beach, CA 92648
(714) 536-5544 Fax 375-5087**

***5% For Public Service Advertizing.**

G: Doris/Auto Dealers Association List



City of Huntington Beach

Business License

714 536-5267 FAX 714 536-5934

P.O. Box 711
California 92648

Dan T. Villella, CPA
Finance Director

HUNTINGTON BEACH AUTO DEALERS ASSOCIATION INC-BID
7755 CENTER AVE #1100
HUNTINGTON BEACH CA 92648

Dear Business Owner:

Thank you for your payment. Attached is your City of Huntington Beach Business License. Please note that approximately one month prior to the license expiration date, you will be mailed a renewal notice for the coming year. If for any reason your renewal notice does not arrive, you are still responsible to renew and pay your business license amount prior to the expiration date. You will incur penalties if this payment is not received by the expiration date.

Please post the business license in public view. If you do not transact business from a fixed location within the city, you must carry this license with you at all times. Your business vehicle should also carry this license, and the license plate number of the vehicle(s), if applicable, should match the one on the business license. Please notify Business License if there are any changes of ownership, address, business name, business vehicle, or type of business conducted. Additionally, please notify the city if you discontinue your business.

There are many resources available to our licensed business people. We have listed a few that might be of interest and assistance to you.

City of Huntington Beach Economic Development Department - 714-536-5582

Huntington Beach Chamber of Commerce - 714-536-8888

Huntington Beach SCORE (Service Corps of Retired Executives) - 714-550-7369

Fictitious Business Name Information - 714-834-2889

State Board of Equalization (seller's permit information) - 714-558-4059

If you have any questions, please call a Business License representative at 714-536-5267.

City Of Huntington Beach Business License

Business Name / Service Address

HUNTINGTON BEACH AUTO DEALERS ASSOCIATION INC-BID
7755 CENTER Unit: 1100
HUNTINGTON BEACH

License Number A266335

License Type

Exempt

Effective Date 05/01/2007

Expiration Date 04/30/2008

Owner / Corporation

HUNTINGTON BEACH AUTO DEALERS ASSOCIATION



Amount Paid \$21.86

THIS LICENSE IS ONLY FOR THE BUSINESS AND TYPE SHOWN. IT IS FOR THE PERSON TO WHOM ISSUED AND IS NON-TRANSFERABLE. RENEWAL IS DUE ON OR BEFORE THE EXPIRATION DATE.

SIC 5511

POST IN PUBLIC VIEW

1992

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
OUTDOOR ADVERTISING BRANCH

11700

PURSUANT TO THE TERMS OF CHAPTER 32, STATUTES OF 1939 AND AS
AMENDED PERMISSION IS GRANTED TO PLACE AND MAINTAIN AN ADVER-
TISING DISPLAY.

EFFECTIVE
JANUARY 1, 1992

| | | | | | |
|--------------------------|---|--------------------|----------|-------------|---------|
| PERMIT NUMBER | 39771 | OWNER DISPLAY # | | FEE PAID | \$20.00 |
| HIGHWAY DISTRICT | 12 | COUNTY | Ort | PENALTY | |
| ROUTE | 405 | POST MILE | 18.641 | APPLICATION | 300 |
| DISPLAY LOCATION | Huntington Beach | | | PRIOR YER. | |
| DISPLAY OWNER ADDRESS | Huntington Beach Redevelopment 2000 Main St. Huntington Beach, CA 92648 | DATE ISSUED: | 03/18/92 | TOTAL PAID | \$320 |

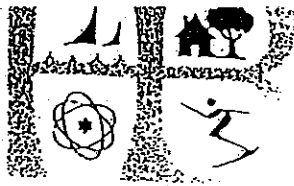
PAID

THIS PERMIT DOES NOT AUTHORIZE VIOLATION OF ANY ZONING ORDINANCE
SECTION 6389 PROVIDES THAT THE ISSUANCE OF A PERMIT DOES NOT AFFECT THE OBLIGATION OF THE OWNER
OF THE ADVERTISING DISPLAY TO COMPLY WITH A ZONING ORDINANCE APPLICABLE TO THE ADVERTISING
DISPLAY UNDER THE PROVISIONS OF THIS CHAPTER NOR DOES THE PERMIT PREVENT THE ENFORCEMENT OF THE
APPLICABLE ORDINANCE BY THE COUNTY.
EXPIRATION DATE
DEPUTY DIRECTOR

DECEMBER 31, 1992

NOTICE

The enclosed permit is issued in conformance with Chapter 2 of the Business & Professions Code only. It does not include or imply permission for the permittee to either trim, cut or otherwise alter any vegetation or growth within the highway right of way to create or improve visibility to the permitted display nor does it include or imply that the State will trim, cut or otherwise alter any such vegetation or growth or grant permission to the permittee or his/her agents to do so.



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT

Office of the Director 536-5582
Housing 536-5542
Redevelopment 536-5582
Fax (714) 375-5087

February 12, 1992

Review Chief

~~S.E. Lancaster, Chief~~
~~Chief Outdoor Advertising Branch~~
State of California Department
of Transportation
1120 N. Street
P.O. Box 942874
Sacramento, California 94274-0001

→ *Debra Collett*
Chief Outdoor Advertising
phone 916-654-4750
FAX 916-654-4951

Dear Mr. Lancaster:

Enclosed is our application for a State Outdoor Advertising Structure Permit along with a site diagram and a check for \$40 (forty dollars).

We have provided a line of site marker for your site inspector. Please have your inspector contact my office prior to going to the site so we can be sure the marker is still in place.

Our research shows that our site lies within the non-bonus areas (between mile markers 1668-1623). Please let us know if you concur with this conclusion. My phone number is (714) 536-5224. Also, if you have questions regarding our permit application please do not hesitate to call me.

Thank you for the thoughtful assistance you and your staff has provided regarding our permit application.

Sincerely,

Thomas Andrusky
Thomas Andrusky
Assistant Project Manager

TA:jar

xc: Barbara A. Kaiser, Deputy City Administrator/Economic Development

APPLICATION FOR STATE OUTDOOR ADVERTISING STRUCTURE PERMIT

Display Type: General Advertising ☐ Message Center ☒

Exception (5405 et seq.) ☐

Complete all Sections. A copy will be returned for your records. Issuance of a permit will be delayed unless all items are filled in and the proper fees remitted. Make checks, money orders, etc. payable to the Department of Transportation.

Application Fee (non-refundable) \$30.00 \$ 30.00
Permit Fee (refundable if application not
approved unless previously cited) 10.00 \$ 10.00
Penalty Fee (assessed if applicant placed
structure prior to approval) 10.00 \$
Preliminary Review Request Fee
(only if prereview is requested) \$30.00 \$

Do not write in this space
District 12 Co. Ora Rte. 405
Road
Post Mile 16.64L
Audit No.; 92-11900
Date granted 8-18-92 C.R. No. 395

**V-shaped structures are
separate displays and
require separate applications.
All permits expire December 31.**

1. DISPLAY OWNER HUNTINGTON BEACH REDEVELOPMENT AGENCY

PRINT NAME OF FIRM OWNING STRUCTURE/SIGN

CITY OF HUNTINGTON BEACH, 2000 Main Street, HUNTINGTON BEACH, CA. 92648

PRINT NAME OF OWNER OF FIRM

STREET ADDRESS P.O. BOX

CITY

ZIP

2. PROPERTY OWNER OR PERSON IN CONTROL OF PROPERTY UPON WHICH DISPLAY IS SITUATED
HUNTINGTON BEACH REDEVELOPMENT AGENCY, 2000 MAIN STREET, HUNTINGTON BEACH, CA. 92648

PRINT NAME

STREET ADDRESS

CITY

ZIP

If consent to placing is written a copy of the consent document must be included.

PROPERTY OWNER MUST SIGN HERE if consent is VERBAL

3. Display to be installed in ORANGE / HUNTINGTON BEACH on the SOUTH side of 405 FREEWAY
NAME OF COUNTY NAME OF INCORPORATED CITY N.E.W. STATE ROUTE NO.
142-34-212 (150' east of #142-34-212) WEST of BEACH BLVD.
ROAD OR STREET NAME N.E.W. NAME OF NEAREST CROSS ROAD, OVER/UNDERPASS
142-34-212 (150' east of #142-34-212) REDEVELOPMENT ZONE C-2
ASSESSOR'S PARCEL NO. 142-34-212 ZONING

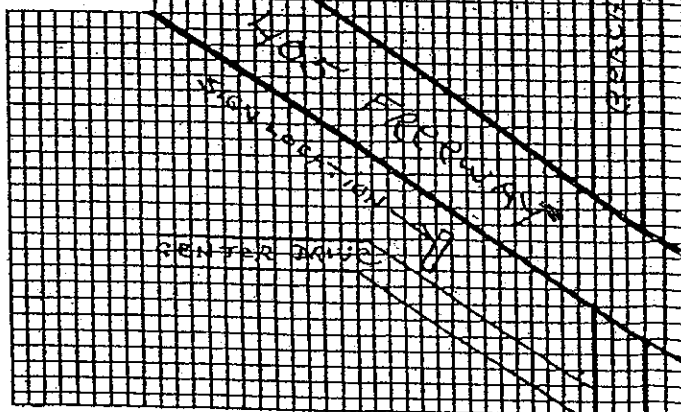
4. Proposed installation date 4/92 Owner's Identification No. N/A If display has been cited, Notice No. N/A

5. To be placed by REDEVELOPMENT AGENCY, 2000 MAIN STREET, HUNTINGTON BEACH, CA. 92648
NAME OF FIRM ADDRESS

6. Display Location Sketch: Show U.S. or State Route Numbers or Name of Street; Show Name of Nearest Crossroad, Over/Underpass; or Nearest Landmark; Indicate Single Panel thus— I; Indicate V-shaped Display thus— V. Show distance of display from intersection.

THIS SPACE FOR LOCATION SKETCH

7. DESCRIPTION OF DISPLAY Material (check)
Panel: Height 14 Length 30 Wood ☐ Metal ☒ Other ☐
Uprights: Number 2 Size 5' ☐ ☒ ☐
Distance between panel and ground 66'
Illumination? YES Reflector Material N/A
Copy one side ☐ Both sides ☒
Indicate facing EAST & WEST
N.E.W.



8. Advertising Copy: "APPROVED ON-PREMISE COPY ONLY"

CITY OF HUNTINGTON BEACH
REDEVELOPMENT AGENCY

The applicant hereby agrees to place and maintain the advertising described above in accordance with the provisions of the Outdoor Advertising A local zoning ordinances, and any other applicable regulations. The applicant certifies that the statements made in this application are true, a understands that any incorrect statement of fact may be grounds for the denial of a permit or for revocation if already granted.

SIGN HERE Thomas Andrews HUNTINGTON BEACH REDEVELOPMENT AGENCY
DISPLAY OWNER OR AUTHORIZED AGENT 2000 MAIN STREET California, FEB. 5TH, 19 92
HUNTINGTON BEACH, CA. 92648 DATE

GENERAL INFORMATION

GENERAL CRITERIA

- A. A State permit is required if the display will be visible from any highway or county road before the display is placed.
B. The approval of local zoning authorities is required in addition to a State permit.

CRITERIA FOR ALL INTERSTATE AND PRIMARY** HIGHWAYS AND ALL PUBLIC ROADS LOCATED OUTSIDE OF INCORPORATED CITIES

(A "NO" answer to any question indicates the sign might not be permissible.)

1. Location must be outside of the right of way of any highway.
2. Display may not be designed to imitate or simulate any directional, warning, information or official sign nor be likely to be construed as one or giving any instructions to traffic.
3. Location must be outside of any stream, channel or below flood-water levels.
4. Display must be designed so there is no red, blinking or intermittent light that might be mistaken for a warning or danger signal.
5. Display may not be designed to have any illumination so bright or so placed to blind or dazzle travelers on the highway.
6. Display must be at least 300' from any intersection except on the crossbar side of a T-intersection.
7. Display must be located so as not to obstruct or prevent a clear view to approaching vehicles for a distance of 300' unless some other permanent building or structure already obscures such vision.
8. Display must be located so as not to prevent any traveler on any highway from obtaining a clear view of approaching vehicles for a distance of 500'.

(circle one)
Yes No
Yes No
Yes No
Yes No
Yes No
Yes No
Yes No
Yes No

CRITERIA FOR ALL PRIMARY AND INTERSTATE HIGHWAYS ONLY:

1. Location where sign will be, must be within 1000' of an existing industrial or commercial activity.
2. Location where sign will be placed must be zoned "industrial" or "commercial".
3. Sign will be without any flashing or moving lights. (Time, date, temperature signs are permissible.)
4. Sign will be at least 500' from the nearest sign on the same side if next to a freeway.
5. Sign will be at least 300' from the nearest sign on same side if next to a non-freeway highway outside of an urban area.
6. Sign will be at least 100' from the nearest sign on same side of a non-freeway within an urban area.
7. Sign will be at least 500' from an interchange or roadside rest if outside of an urban area.
8. Sign will be 1200 square feet or less in area, and not over 60' long or 25' high.

(circle one)
Yes No
Yes No
Yes No
Yes No
Yes No
Yes No
Yes No
Yes No

ADDITIONAL CRITERIA

Displays may not be permitted if adjacent to and designed primarily to be viewed from a landscaped freeway**.

IF SIGN LOCATION IS ADJACENT TO BONUS SEGMENT OF AN INTERSTATE HIGHWAY**:

Location must be at least 2 miles in advance of next exit roadway.

Location must be at least 1000' past the last entrance roadway.

Display must be at least 1000' from the nearest sign facing same direction of traffic on either side of highway.

Sign may not exceed 150 square feet in area or 20' in length or height.

Sign will have no moving or animated parts or any type of flashing light.

The undersigned certifies that the responses listed above are true and correct and that he or she has verified their accuracy. The undersigned applicant further agrees that if any of the above statements are incorrect, they may be grounds for denial of this permit or revocation if a permit has already been granted based on such information.

**DEFINITIONS:

FEDERAL-AID PRIMARY HIGHWAY:

"Primary highway" means any highway, other than an interstate highway, at any time officially designated as a part of the federal-aid primary system by the director and approved by appropriate authority of the federal government.

INTERSTATE HIGHWAY:

"Interstate highway" means any highway at any time officially designated as a part of the national system of interstate and defense highways by the director and approved by appropriate authority of the federal government.

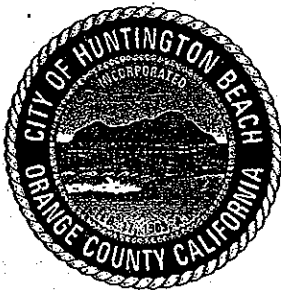
BONUS SEGMENT OF INTERSTATE HIGHWAY:

"Bonus segment" means any segment of an interstate highway which was covered by the Federal-Aid Highway Act of 1958 and the Collier-Z'berg Act, namely, any such segment which is constructed upon right-of-way, the entire width of which was acquired after July 1, 1956.

LANDSCAPED FREEWAY:

"Landscaped freeway" means a section or sections of a freeway for which a contract has been let for planting at least on one side of the freeway right-of-way of lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance.

X. Thomas Audley



City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT

Business Development - Housing - Real Estate - Redevelopment

714.536.5582

www.hbbiz.com

fax - 714.375.5087

August 23, 2007

Keith Robertson
California Department of Transportation
Outdoor Advertising Program M5-28
1120 N Street MS28
Sacramento CA 95814

COPY

RE: REQUEST FOR DECLASSIFICATION OF READERBOARD SITE FROM CAL-TRANS LANDSCAPE CORRIDOR

Dear Mr. Robertson:

The purpose of this letter is to request a declassification of the subject site from the State Highway Landscape Corridor. On August 2, 2007 City staff met with Monica Wilson-Pough, Sergay Ivazian, and Gerda Holmstrom from your office regarding the pending Notice of Violation issued by Ms. Holstrom for the subject sign dated July 6, 2007. At this meeting, declassification of the subject site was provided as an option in correcting the Notice of Violation. Attached you will find a site plan, aerial map and previous correspondence that clearly identifies the subject site and its surroundings.

The existing sign is an 85-foot tall double-faced sign on a remnant portion of City-owned land between Center Avenue and the Beach Boulevard freeway off-ramp. The height and size of the sign are designed to be visible from the 405 freeway and to inform freeway traffic of the existence of automobile dealers on Beach Boulevard. The City of Huntington Beach, as property owner, leases the parcel to the City's Redevelopment Agency who is co-applicant on the permit. The Redevelopment Agency in turn subleases the land to the Huntington Beach Auto Dealer's Association. The Auto Dealer's Association has existing agreements with the Agency to operate and maintain the sign while the City maintains the surrounding landscape. In addition, the auto dealers maintain an office within the Huntington Center Redevelopment Project Area as required under the current Development Agreement between the Redevelopment agency and Auto Dealer's Association.

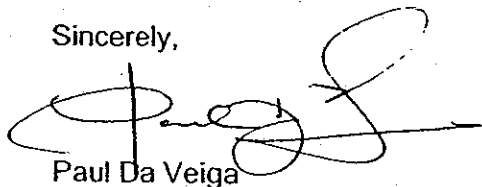
We have since been informed through the Notice of Violation that after 15 years of continuous operation that Cal Trans claims that the subject sign is no longer consistent with the provisions of the State of California Outdoor Advertising Act. While the City disputes any such claims, we are willing to do what is necessary to comply with this recent position taken by your agency and would like to explore the option of declassification of the property as part of the Cal Trans landscape corridor in an effort to resolve this issue.

This is one option of many that the City and Redevelopment Agency is exploring in order to resolve this issue. It should be noted, however, that we believe it is our right to advertise the Association auto dealers on the sign based on the original permit issued by Cal Trans and the continued use of the sign which has not changed in 15 years. The following is a list of activities that have led to the request for declassification:

- On May 3, 2007, we requested assistance from your department regarding extending the original permit for the sign (Permit #39771).
- On May 10, 2007, we received an e-mail from Kenneth Parmelee of your office indicating that the permit had been cancelled and that the next step would be applying for a redevelopment permit. I was told that I would be contacted by Gerda Holstrom who would inform me of the next steps in the permitting process.
- On June 18, 2007, we received a response from Gerda Holstrom in the form of a Notice of Violation (Violation #V12—0008) indicating that the existing sign does not have a permit.
- On June 22, 2007, City staff submitted an application for a redevelopment permit based on direction given from Kenneth Parmelee of your office. (See Attachment)
- On July 6, 2007, we requested an appeal to the Notice of Violation.
- On August 2, 2007, City staff met with CalTrans staff to discuss the Notice of Violation and alternatives for correcting the violation. Declassification of the subject site was identified as a possible option for resolving this issue.

We do not feel that the Notice of Violation is justified based on the circumstances and history of permitting by your Agency. We look forward to collaborating with you on a workable solution that meets the needs of both Cal Trans and the City of Huntington Beach. Please contact me at (714) 536-5544 or via e-mail at pdaveiga@surfcity-hb.org if you have any further questions or comments.

Sincerely,



Paul Da Veiga
Economic Development Project Manager

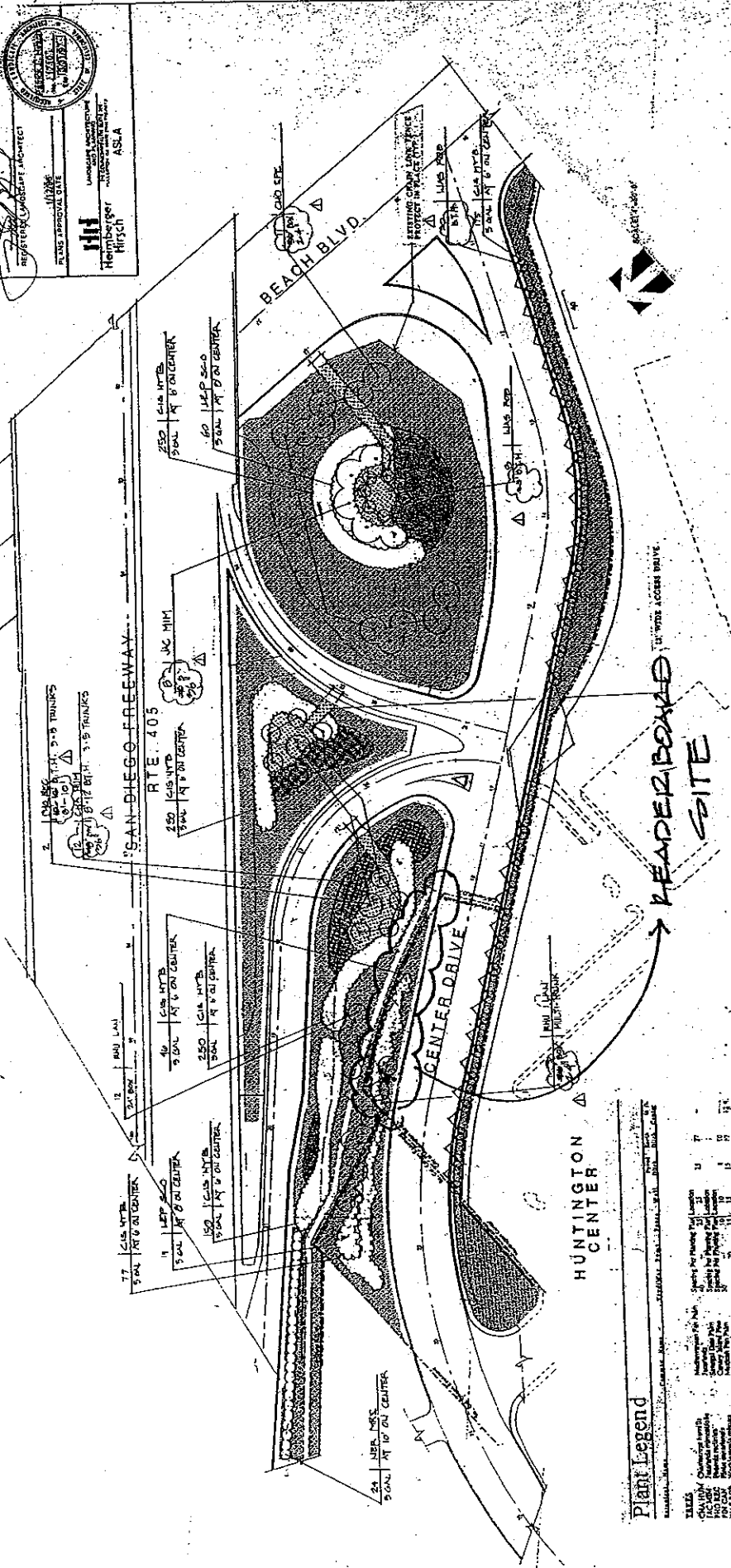
Attachments














































cc: Stanley Smalewitz, Director of Economic Development
Kellee Fritzal, Deputy Director of Economic Development
Leonie Mulvihill, Deputy City Attorney
Jane James, Senior Planner
Doris Powell, Assistant Project Manager

Monica Wilson Pough & Sergay Ivazian
Office of Outdoor Advertising
Division of Traffic Operations, MS 36
P.O. Box 942874
1120 N Street, Sacramento, CA 94274-0001

Gerda Holstrom,
District 11 – Office of Outdoor Advertising,
Division of Traffic Operations, MS-230
4050 Taylor Street, San Diego, CA 92110

File



| Plant Legend | | STANDARD TIME: 1941, W.H. HARRIS, BOSTON | | STANDARD TIME: 1941, W.H. HARRIS, BOSTON | |
|---|-------|---|-----------------------|---|-----------------------|
| STANDARD TIME | | STANDARD TIME | | STANDARD TIME | |
|  | THICK |  | Quantity for planting |  | Quantity for planting |
|  | THICK |  | Quantity for planting |  | Quantity for planting |
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|  | THICK |  | Quantity for planting |  | Quantity for planting |

Plant Legend

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Ed Roberts LANDSCAPE ARCHITECTURE

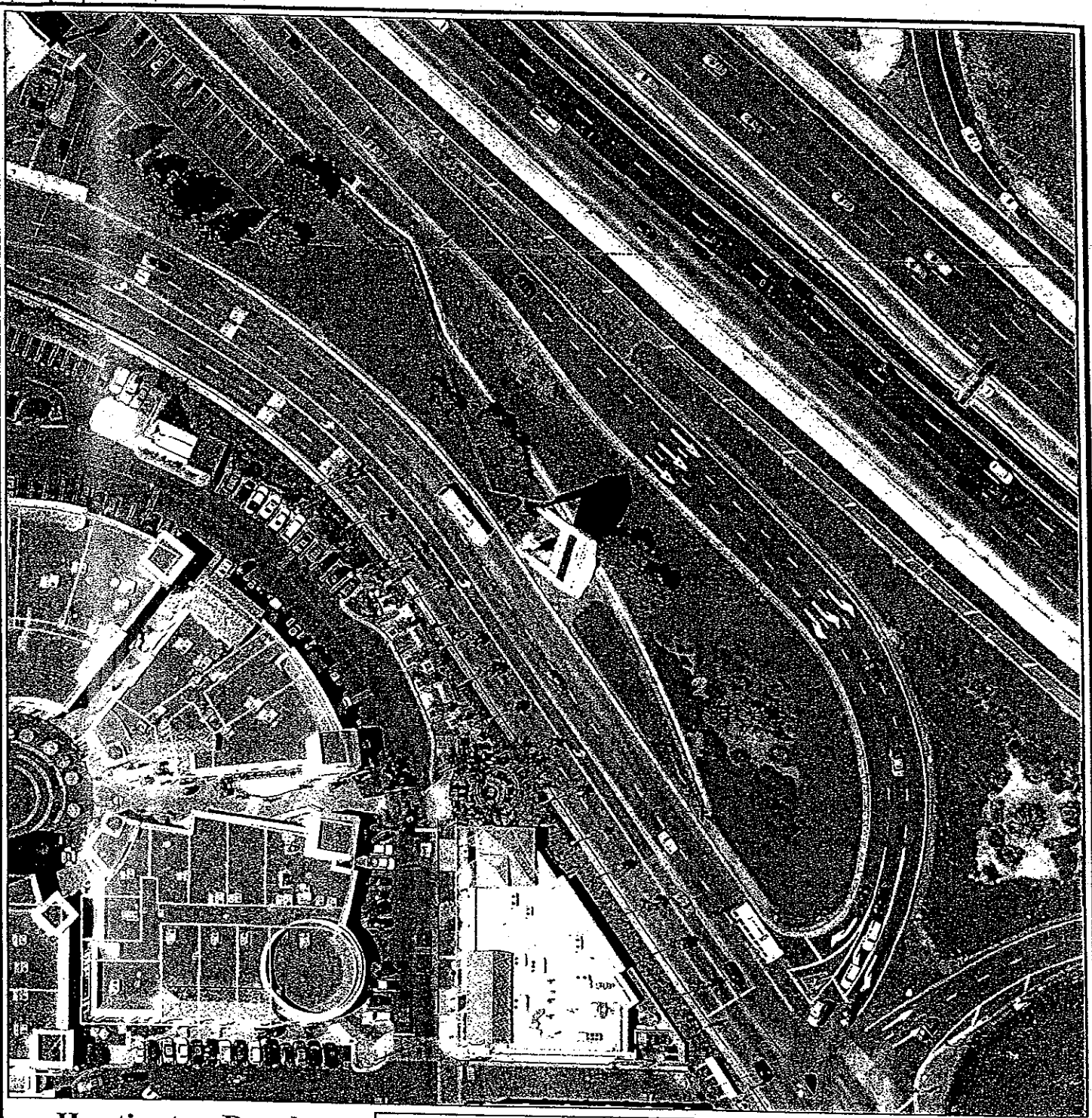
PLANS AND SPECIFICATIONS TO BE SUPPLEMENTED BY CALTRANS
STANDARD SPECIFICATIONS JULY 1992.

PLANTING PLAN

FOR STENOGRAPHY PLANE
ORIGINAL BOLTS IN INCHES

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 |
|---|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|

CU 1276
04000000
EA 04000000



Huntington Beach

Map produced by information contained in the City of Huntington Beach Information Services Department Geographic Information System. Information warranted for City use only. Huntington Beach does not guarantee its completeness or accuracy.
Map Produced on 8/23/2007



HB
GIS

0 92 184
One inch equals 92 feet

STREET NAMES

CITY BOUNDARY

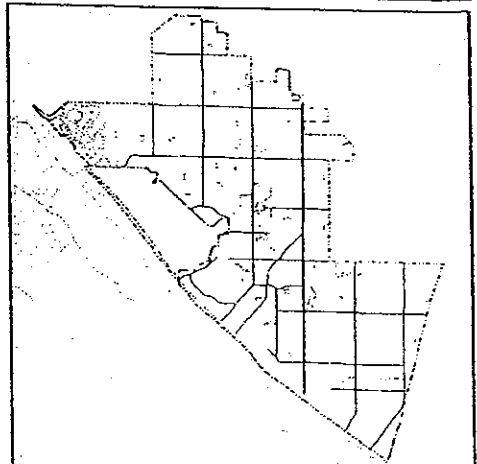
STREET CENTERLINES (CLASS)

- Smartstreet
- Major
- Collector
- Primary
- Secondary
- Residential
- Travelway
- Alley

ISOBATHS

F1.35

HARBOR



DaVeiga, Paul

From: Monica Wilson [monica_wilson@dot.ca.gov]
Sent: Friday, August 03, 2007 2:53 PM
To: DaVeiga, Paul; Gerda Holmstrom
Cc: Emery, Paul; Smalewitz, Stanley; Fritzal, Kellee; Mulvihill, Leonie; Sergay; Sergay Ivazian
Subject: Re: Huntington Beach Electronic Readerboard Sign

Thanks for meeting with the program yesterday. We will discuss the violation and the suggestion of the internet sales office with the Departments Legal Counsel, I am hopeful that we can discuss this further early next week. Please give Gerda or I a call should you have any questions.

----- Original Message -----

From: "DaVeiga, Paul" [PDaVeiga@surfcity-hb.org]
Sent: 08/03/2007 02:24 PM
To: Monica Wilson; Gerda Holmstrom
Cc: "Emery, Paul" <pemery@surfcity-hb.org>; "Smalewitz, Stanley" <SSmalewitz@surfcity-hb.org>; "Fritzal, Kellee" <KFritzal@surfcity-hb.org>; "Mulvihill, Leonie" <lmulvihill@surfcity-hb.org>
Subject: Huntington Beach Electronic Readerboard Sign

August 3, 2007

Dear Monica and Gerda,

Thank you for the opportunity to meet with you this morning. We appreciate the information that you provided and potential solutions regarding the continued use of our readerboard sign. The original sign permit issued by Cal Trans was approved in 1992 with the understanding the dealerships that were members of the Automobile Dealers Association ("Association") would advertise on the subject sign since the Association itself operated an administrative office within the redevelopment project area. A substantial investment by the City, Agency, and Association was been made for the sole purpose of advertising Association dealers on the subject sign.

We have since been informed through a Notice of Violation that after 15 years of continuous operation that Cal Trans claims that the subject sign is no longer consistent with the provisions of the State of California Outdoor Advertising Act. While the City disputes any such claims, we are willing to do what is necessary to comply with this recent position taken by your agency and would like to explore the option of having the Association operate an internet-based sales office(s) within the Huntington Center Redevelopment Project Area in an effort to resolve this issue. The sales office(s) would conduct full time internet sales for each individual Association dealer having either a shared or individual location on the premises. Our contention is that by establishing an on-site internet sales office (s) that is operated and functions on behalf of all of the dealerships of the Association, there should be no question as to the dealerships ability to advertise on the subject sign. Moreover, the sales office(s) will operate under a valid DMV vehicle sales license and will be continuously occupied by employee(s) of the Association.

This is one option of many that the City and Redevelopment Agency is exploring in order to resolve this issue. It should be noted, however, that we believe it is our right to advertise the Association auto dealers on the sign based on the

11/9/2007

F1.36

original permit issued by Cal Trans and the continued use of the sign which has not changed in 15 years. We do not feel that the Notice of Violation is justified based on the circumstances and history of permitting by your Agency. We look forward to collaborating with you on a workable solution that meets the needs of both Cal Trans and the City of Huntington Beach. Once again, thank you for your time. Please contact me at (714) 536-5544 or via e-mail if you have any further questions or comments.

Paul Da Veiga
Project Manager
Economic Development Department
City of Huntington Beach
(714) 536-5544



City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT

Business Development - Housing - Real Estate - Redevelopment

714.536.5582

www.hbbiz.com

fax - 714.375.5087

July 6, 2007

Gerda Holmstrom
Caltrans Traffic Operations
MS230
4050 Taylor St.
San Diego, Ca 92110

RE: APPEAL REQUEST – NOTICE OF VIOLATION NO. V12-0008

Dear Ms. Holstrom:

This letter serves as an official request for appeal of Notice of Violation No. V12-0008, issued to the City of Huntington Beach on June 18, 2007. The basis of the appeal is a pending redevelopment permit application that was submitted to your office on June 22, 2007.

On May 3, 2007, City staff requested assistance from your department regarding extending the original permit for the sign (Permit #39771). We received an e-mail from Kenneth Parmelee of your office indicating that the permit had been cancelled and that the next step would be applying for a redevelopment permit. In the midst of our communication, we also received the subject Notice of Violation indicating that the existing sign does not have a permit.

We respectfully request your immediate attention to this matter and are willing to comply with the appropriate permitting process for the subject sign. Please inform me of any additional information that you may need to proceed with our request. Feel free to contact me any time at (714) 536-5544 or via e-mail at pdaveiga@surfcity-hb.org.

Sincerely,

Paul Da Veiga
Economic Development Project Manager

Attachment



City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT
Business Development - Housing - Real Estate - Redevelopment
714.536.5582 www.hbbiz.com fax - 714.375.5087

June 22, 2007

Monica Wilson
California Department of Transportation
Outdoor Advertising Program, M5-36
P.O. Box 942874
Sacramento, CA 94274

RE: REQUEST FOR ISSUANCE OF REDEVELOPMENT PERMIT FOR ELECTRONIC
MESSAGE CENTER SIGN

Dear Ms. Wilson:

Attached you will find an application for a redevelopment permit regarding the existing electronic message center sign. After researching our records and CalTrans requirements regarding permit issuance, we were unsure if there was a need to request an extension of Permit No. 39771. The existing sign is an 85-foot tall double-faced sign on a remnant portion of City-owned land between Center Avenue and the Beach Boulevard freeway off-ramp. The height and size of the sign are designed to be visible from the 405 freeway and to inform freeway traffic of the existence of automobile dealers on Beach Boulevard.

On May 3, 2007, we requested assistance from your department regarding extending the original permit for the sign (Permit #39771). We received an e-mail from Kenneth Parmelee of your office indicating that the permit had been cancelled and that the next step would be applying for a redevelopment permit. In the midst of our communication, we also received a Notice of Violation (Violation #V12—0008) from Gerda Holstrom indicating that the existing sign does not have a permit. Please notify Ms. Holstrom that we are in the process of applying for a redevelopment permit and are attempting to address this issue promptly.

The City of Huntington Beach, as property owner, leases the parcel to the City's Redevelopment Agency who is co-applicant on the permit. The Redevelopment Agency in turn subleases the land to the Huntington Beach Auto Dealer's Association. The Auto Dealer's Association has existing agreements with the Agency to operate and maintain the sign while the City maintains the surrounding landscape. In addition, the auto dealers maintain an office within the Huntington Center Redevelopment Project Area as required under the current Development Agreement between the Redevelopment agency and Auto Dealer's Association.

Please inform me of any additional information that you may need to proceed with our request. Feel free to contact me any time at (714) 536-5544 or via e-mail at pdaveiga@surfcity-hb.org.

Sincerely,


Paul Da Veiga
Economic Development Project Manager

F1.39

Attachments

Powell, Doris

From: DaVeiga, Paul
Sent: Friday, May 11, 2007 4:02 PM
To: Smalewitz, Stanley; Mulvihill, Leonie; James, Jane; Powell, Doris
Subject: FW: City of Huntington Beach

Follow Up Flag: Follow up
Flag Status: Red

Attachments: City of Huntington Beach.pdf



City of
Huntington Beach.pdf

FYI

-----Original Message-----

From: Kenneth Parmelee [mailto:kenneth_parmelee@dot.ca.gov]
Sent: Thursday, May 10, 2007 10:47 AM
To: Gerda Holmstrom
Cc: Monica Wilson; DaVeiga, Paul
Subject: City of Huntington Beach

Good morning Gerda,

I received a letter from the City of Huntington Beach yesterday, requesting a permit extension for permit #39771. Here is a scanned copy of the letter:

(See attached file: City of Huntington Beach.pdf)

According to the ODA database, this permit was cancelled on October of 1998, and I cannot determine the reason why. This permit is located in Orange County. Do you have the original permit file on this permit? Based on this letter, it appears that the City of Huntington Beach leases the parcel to the City's Redevelopment Agency, and the redevelopment agency subleases the land to the permit holder, the Huntington Beach Autodealer. The fact that there is a redevelopment agency involved in this project may explain why permit #39771 was cancelled.

If we determine that this sign is in a redevelopment area, and that the advertising copy only includes businesses within that redevelopment area, I don't think we would grant a permit extension. I feel that the next step would be having them apply for a redevelopment permit. Could you please assist me on this matter? Paul Da Veiga of the City of Huntington Beach would like us to respond to him in writing.

Thank you.

Ken

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
OUTDOOR ADVERTISING (ODA) DISPLAY PERMIT APPLICATION
 ODA-002 (REV. 12/2006)

Page 1 of 2

PERSONAL INFORMATION NOTICE:

Pursuant to the California Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code, Sections 1798, et seq.), notice is hereby given for the request of personal information in this form. The requested personal information is voluntary. The principal purpose of this voluntary information is to facilitate the processing of this form. The failure to provide any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the CPA of 1977. Each individual has the right upon request and proper identification to inspect or request correction of personal information in any record maintained on the individual by an identifying particular.

ADA NOTICE: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 653-3657 or TDD (916) 654-3880 or write to Records and Forms Management, 1120N Street, MS-89, Sacramento, CA 95814.

DO NOT WRITE IN SHADED AREAS

| | | | | |
|-----------------------------|--------|-------------------------|--------------------|------------------|
| DISTRICT | COUNTY | ROUTE | POSTMILE | PERMIT NUMBER |
| ROAD / STREET | | | | |
| CSR NUMBER | | DATE GRANTED | APPLICATION NUMBER | |
| TEMPORARY PERMIT ISSUE DATE | | FINAL PERMIT ISSUE DATE | | |
| PERMIT EXPIRATION DATE | | | | |

COMPLETE ALL SECTIONS. ISSUANCE OF A PERMIT WILL BE DELAYED UNLESS ALL ITEMS ARE FILLED IN AND THE PROPER FEES REMITTED.
 IF APPROVED, A COPY WILL BE RETURNED FOR YOUR RECORDS.

MAIL TO: DEPARTMENT OF TRANSPORTATION, Division of Traffic Operations MS 36, ODA Branch, P.O. Box 942874, Sacramento, CA 94274-0001
 www.dot.ca.gov/oda

SECTION 1 - FEES (NO CASH ACCEPTED BY MAIL)

MAKE CHECK PAYABLE TO: DEPARTMENT OF TRANSPORTATION, OR PROVIDE THE INFORMATION BELOW TO APPLICABLE CREDIT CARD.

| | | |
|--|--|--|
| APPLICATION (non refundable)..... <input checked="" type="checkbox"/> \$300 | PERMIT FEES..... | 2004-2008 <input type="checkbox"/> \$500 |
| PENALTY (required if display was placed prior to obtaining permit)..... <input type="checkbox"/> \$100 | | 2005-2008 <input type="checkbox"/> \$400 |
| PRELIMINARY REVIEW REQUEST | | 2006-2008 <input type="checkbox"/> \$300 |
| (If approved, \$100 will be applied towards the application fee per CA Code of Regulations Section 5486)..... <input type="checkbox"/> \$200 | | 2007-2008 <input type="checkbox"/> \$200 |
| | | 2008 <input type="checkbox"/> \$100 |
| TOTAL FEES PAID: \$ 300.00 | (Department operates on a 5 year billing cycle: 2004-2008. Companies that have more than 10 permitted displays; known as pro-rata companies, may pay on an annual basis) | |

METHOD OF PAYMENT: ☒ CHECK NUMBER 00119 ☐ VISA ☐ MASTERCARD ☐ AMERICAN EXPRESS ☐ DISCOVER Expiration Date: _____

CHARGE CARD ACCOUNT NUMBER

TOTAL FEES CHARGED

AUTHORIZED SIGNATURE

SECTION 2 - DISPLAY TYPE (CHECK THE APPROPRIATE BOX (ES))

☐ SIGNAGE DISPLAY ☒ TRI-VISION/MESSAGE CENTER DISPLAY ☒ REDEVELOPMENT DISPLAY ☐ PRIVATE DIRECTIONAL DISPLAY ☐ PUBLIC DIRECTIONAL DISPLAY

SECTION 3 - APPLICANT

PERMIT APPLICANT (Please print or type name of firm or individual desiring permit)

HUNTINGTON BEACH AUTO DEALERS ASSOCIATION

ODA LICENSED?

☐ YES ☒ NO

LICENSE NUMBER

N/A

STREET ADDRESS (CANNOT be a Post Office Box)

7755 CENTER DRIVE 11TH FLOOR

CITY

HUNTINGTON BEACH

STATE

CA

ZIP CODE

92647

BUSINESS PHONE NO.

714-372-7209

MAILING ADDRESS IF DIFFERENT (Street Address or P.O. Box)

SAME

CITY

SAME

STATE

SAME

ZIP CODE

SAME

SECTION 4 - PROPERTY

PROPERTY OWNER (Person in control of property upon which display is situated)

ECONOMIC DEVELOPMENT

ASSESSOR'S PARCEL NO.

142-34-212

ZONING

C-2 REDEVELOPMENT

STREET ADDRESS/P.O. BOX

2000 MAIN STREET

CITY

HUNTINGTON BEACH

STATE

CA

ZIP CODE

92648

BUSINESS PHONE NO.

714-536-5582

SECTION 5 - DISPLAY LOCATION INFORMATION

COUNTY NAME

ORANGE

CITY NAME (if incorporated)

HUNTINGTON BEACH

(circle)

STATE ROUTE NUMBER OR ROAD / STREET NAME

405 FREEWAY

FEET / MILES

600

(Circle)

NAME OF NEAREST CROSSROAD, OVER/UNDERPASS

BEACH BLVD

ON THE N S E W SIDE OF

N S E W

IDENTIFY BUSINESS ACTIVITY BY NAME THAT IS WITHIN 1,000 FEET OF THE DISPLAY LOCATION

HOTEL HUNTINGTON BEACH

STREET ADDRESS OF THE BUSINESS ACTIVITY

7667 CENTER AVE HUNTINGTON BEACH

SECTION 6 - DISPLAY CONFIGURATION

NOTE: V-shaped structures are separate displays and require two applications

COPY

☐ ONE SIDE

☒ BOTH SIDES

☐ 1/2 OF A V-SHAPED DISPLAY

PANEL

HEIGHT

40

LENGTH

41

DISPLAY ID NUMBER (optional)

UPRIGHTS

NUMBER

SIZE

5

MATERIAL

☒ METAL ☐ WOOD ☐ OTHER

ILLUMINATION?

☒ YES ☐ NO

INDICATE FACING

N S E W

DISTANCE FROM BOTTOM PANEL TO GROUND

40'

MESSAGE CENTER

☒ ELECTRONIC BOARD

☒ L.E.D.

☒ TRI-VISION

SECTION 7 - REQUIRED DOCUMENTS

Applications submitted without ALL of the following documents will be returned:

- ☒ Building Permit (City or County written permission)**
- ☒ Detailed plot map of the proposed display location
- ☒ Evidence of Property Owner's Consent**
- ☒ Assessor's Parcel Map
- ☒ Assessor's Property Ownership Information
- ☒ Consent of Redevelopment Agency (if applicable)

** (NOTE: Not required if submitting a preliminary review)

CHECK ONE

☒ An imprint is placed at the location

☐ An imprint will be placed by: _____ (Date)

SECTION 8 - SIGNATURE

NAME (Please print)

Jim Upp

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT

BUSINESS PHONE NO.

714-372-7209

DATE

5-14-2007

ADDRESS 7755 Center Drive 11th Floor

CITY Huntington Beach

STATE Ca

ZIP CODE 92647

The applicant hereby agrees to place and maintain the advertising display described above in accordance with the provisions of the Outdoor Advertising Act, State Regulations, and local zoning ordinances. The applicant certifies that the statements made in this application are true, and understands that an incorrect statement of fact may be grounds for permit denial or for permit revocation.

CERTIFICATION BY DISPLAY OWNER OF**MESSAGE CENTER WITHIN REDEVELOPMENT PROJECT**

ODA-0050 (REV. 01/2002)

The undersigned hereby certifies the desires to place a message center in accordance with Business & Professions Code, Section 5273, and understands that advertising displays advertising those businesses and activities developed within the boundary limits of, and as a part of, an individual redevelopment agency project may, with the consent of the redeveloping agency governing the project, be considered to be on the premises anywhere within the limits of that project when all of the land is contiguous or is separated only by a public highway or public facilities developed or relocated for inclusion within the project as a part of the original redevelopment plan for a period not to exceed 10 years or the completion of the project, whichever first occurs, after which Section 5272 and 5405 apply, unless an arrangement has been made for extension of the period between the redevelopment agency and the Department for good cause. The 10-year period for existing displays shall commence on January 1, 1986.

In addition, the undersigned certifies that said message center will be operated so that it meets the following criteria:

- a) The proposed display will have no illumination that is flashing, intermittent, moving or appears to be in motion
- b) The display message will not change at a rate faster than one message every four seconds
- c) The interval between messages will not be less than one second
- d) The intensity of the illumination will not change
- e) The proposed display will not be placed within 1,000 feet of another message center display on the same side of the highway

MESSAGE CENTER OWNER (Print Name of Firm or Owner)

HUNTINGTON BEACH AUTO DEALER ASSOCIATION

SIGNATURE OF MESSAGE CENTER OWNER OR AUTHORIZED AGENT

X *James W. Up*
JAMES W. UP

MESSAGE CENTER LOCATION (FOR OFFICIAL USE ONLY)

DATE

5/14/2007

Consent by Redevelopment Agency

Consent is granted for placement of the proposed message center within the boundaries of the Redevelopment Project identified in the attached Official Redevelopment Project description and/or map and known as:

PROJECT NAME (Print)

HUNTINGTON CENTER COMMERCIAL DISTRICT REDEVELOPMENT PROJECT AREA

YEAR LEASE & RELOCATION AGREEMENT EXPIRES

2024

SIGNATURE OF AUTHORIZED AGENT

X *Stanley Smalewitz*
STANLEY SMALEWITZ

NAME OF GOVERNING AGENCY

ECONOMIC DEVELOPMENT 2000 MAIN STREET

AGENCY ADDRESS

HUNTINGTON BEACH, CA 92648

ADA Notice

For individuals with disabilities, this document is available in alternate formats. For information call (916) 654-5413 Voice, CRS 1- 800-735-2929 or write to: Outdoor Advertising Branch, 1120 N Street - MS 36, Sacramento, CA 95814



CITY OF HUNTINGTON BEACH

2000 MAIN ST.
HUNTINGTON BEACH, CA 92648

No. 051331

DEPARTMENT OF
COMMUNITY DEVELOPMENT
P.O. BOX 190 - CALIFORNIA 92641
(714) 536-5241

*** DUPLICATE ***
BUILDING PERMIT

Permit Number: B029909

Bldg. Address: 7991 CENTER

EXIST. BLDG.

Owner:

H.B. AUTO DEALERS AS

2000 MAIN ST.

HUNTINGTON BEACH

Ph. (714) 536-5224

CA 92648

Building Use: COM. - FREEWAY SIGN

Tract: NA

PC # 513 RD #24
Lot: NA Block: NA

Contractor:

BELLFLOWER NEON SIGN CO.

12027 E 170TH

ARTESIA

CA 90701

Ph. (213) 926-9593

St. No. C4510-5970 City Lic. A138482

Architect or Engineer

ADAMS ENGINEERING

11022 ACACIA PKWY.

GARDEN GROVE

CA 92640

Ph. (714) 636-0294

St. No. 10163

Comments: INSTALL TWO ILLUMINATED POLE MOUNT FREEWAY PYLON SIGNS

Sq. Ft. Living:

Garage:

Misc.:

Desc.:

Jcc. Group:

Public Building? NO

Census Code: 999

Planning Action: CUP 92-31

No. Stories:

No. Families:

Valuation: 361000

Bldg. Code: ADD

Constr. Type: VN

Zone: C2

Bldg. Use: COMM

Occ. Load:

Park. Spaces:

Coastal Permit? NO

Appl. Date: 09/11/92 Landuse: SM 09/21/92 Authorized: RDC 09/21/92

Plancheck: JMS 09/15/92 PC Receipt # 292037

Issued: ECD 09/24/92 Permit/Receipt # B-029909

| PERMIT FEES | | | | | |
|-------------|---------|---------------------------|--------------|---------|---------------|
| DESCRIPTION | AMOUNT | ACCOUNT | DESCRIPTION | AMOUNT | ACCOUNT |
| INSPECTION | 1553.00 | RAACD23430600 | ISSUANCE | 15.00 | RAACD23430600 |
| PLANCHECK | 1009.45 | ** PAID ** | PENALTY | 0.00 | RAACD23463000 |
| LIBRARY | 0.00 | RAACD23471100 | PARKS & REC. | 0.00 | RSKCD23435500 |
| INSERVATION | 75.81 | GAA 00020116 | P/PLANCHECK | 0.00 | RAACD23133800 |
| ICRO COPY | 3.00 | GUU 00022555 | | | |
| | | TOTAL FEE | | 1646.81 | |
| | | Permit/Receipt # B-029909 | | | |

Issued: ECD 09/24/92

Permit/Receipt # B-029909

F1.43

CERTIFICATE OF EXEMPTION FROM WORKER'S COMPENSATION INSURANCE

Section need not be completed if the permit is for one hundred dollars (\$100) or less.
If that in the performance of the work for which this permit is issued, I shall not employ any
in any manner so as to become subject to Worker's Compensation Laws.

Applicant
E TO APPLICANT: If, after making this Certificate of Exemption, you should become subject to
Worker's Compensation provisions of the Labor Code, you must forthwith comply with such provision
permit shall be deemed revoked.

LICENSED CONTRACTORS DECLARATION

I affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of
13 of the Business and Professions Code, and my license is in full force and effect.

Number _____ Lic. Class _____
Date _____

I am exempt from the licensing requirements as I am a licensed architect or a registered professional
engineer acting in my professional capacity (Section 7051, Business and Professions Code).

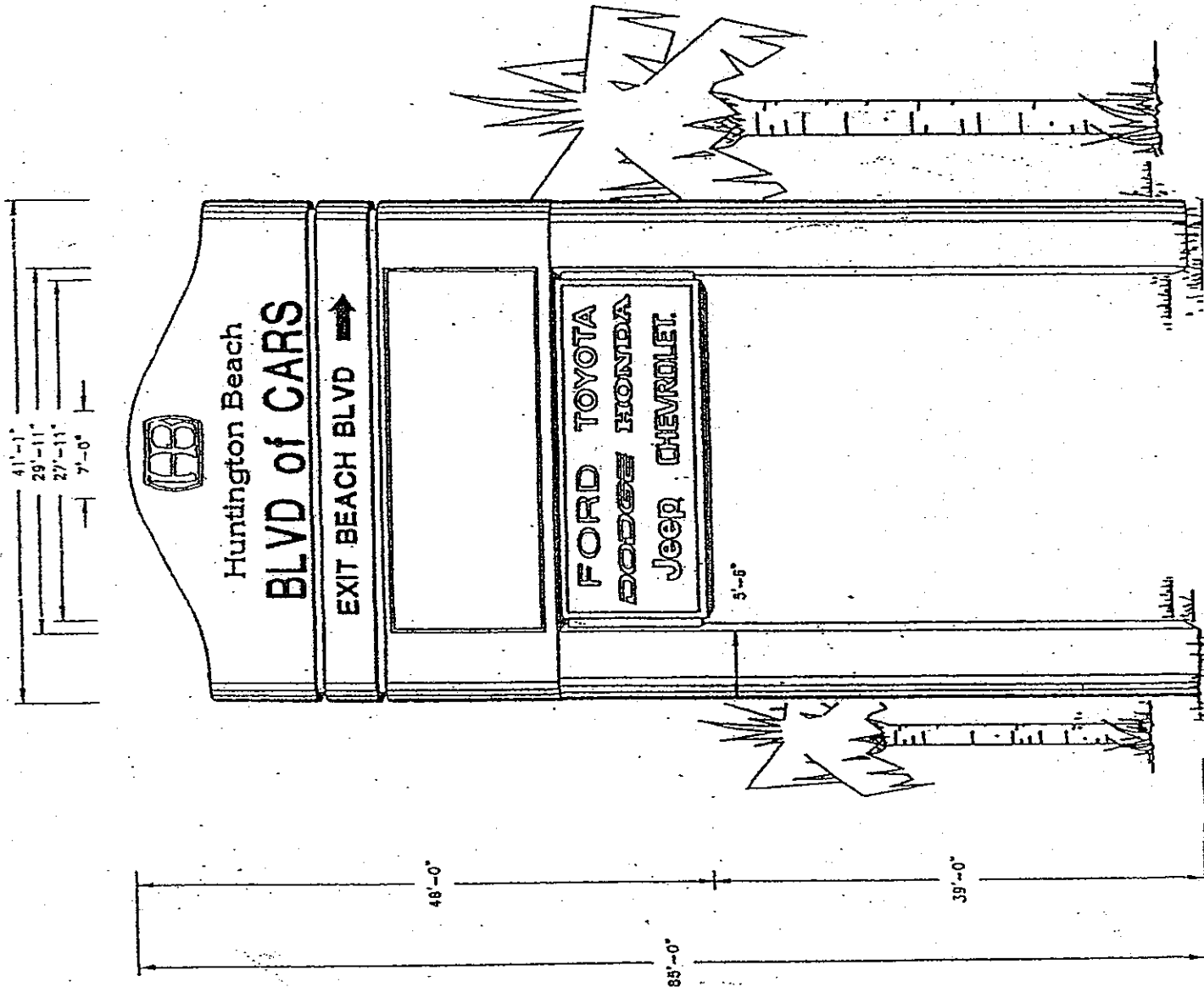
OWNER-BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason. [(Sec.
7031.5) Business and Professions Code: Any city or county which requires a permit to construct,
alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant
for such permit to file a signed statement that he is licensed pursuant to the provisions of the
Contractor's License Law (Chapter 9) (commencing with Section 7000) of Division 3 of the
Business and Professions Code, or that he is exempt therefrom and the basis for the alleged
exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant
to a civil penalty of not more than five hundred dollars (\$500).]

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the
work, and the structure is not intended or offered for sale. (Sec. 7044) Business and Professions Code;
The Contractor's License Law does not apply to an owner of property who builds or improves thereon,
and who does such work himself or through his own employees, provided that such improvements
are not intended or offered for sale.

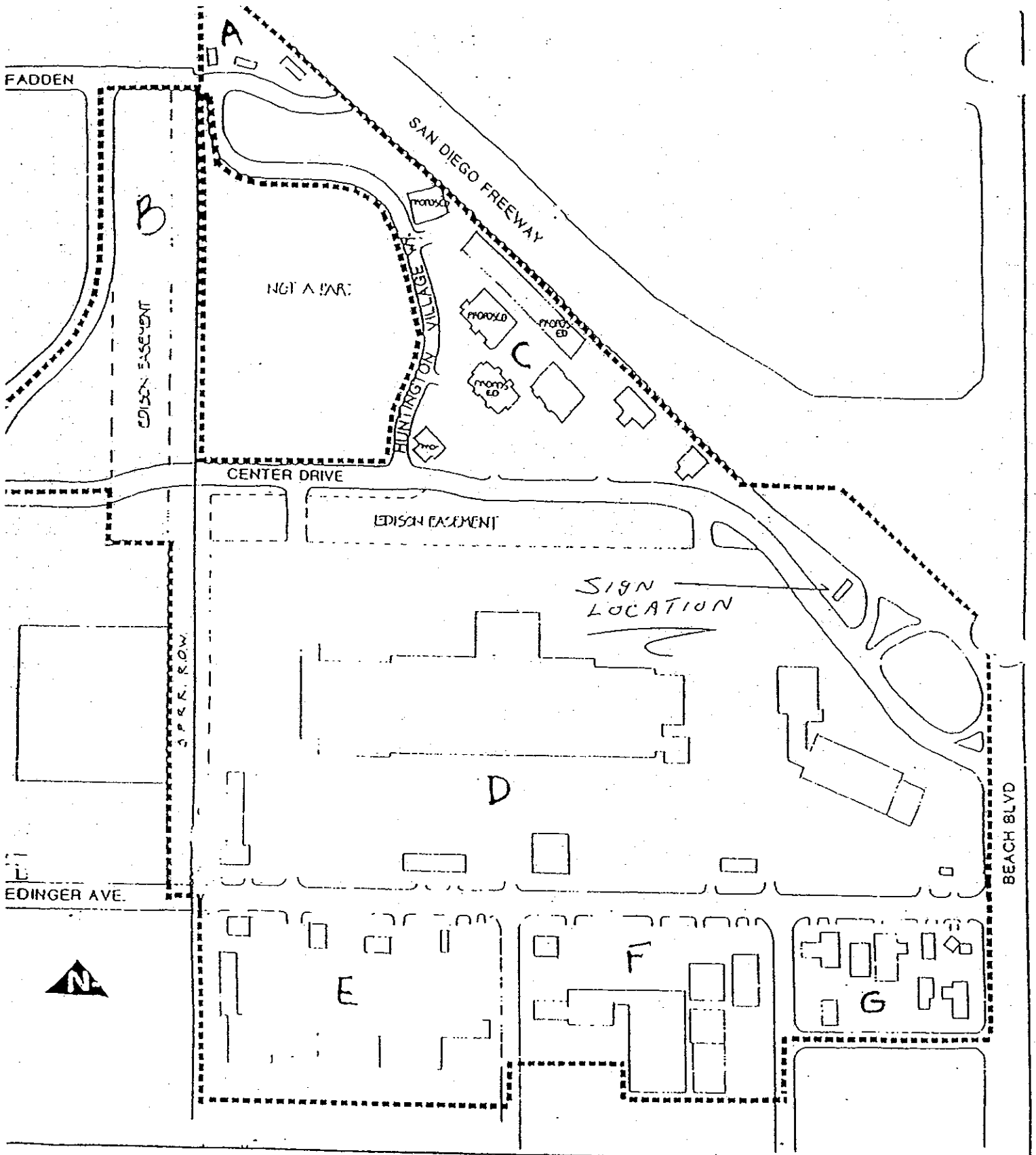
EXISTING SIGN

- City Building Permit 9-4-92
- Original State Permit 3-18-92



F1.44

| | |
|-------------------------------------|-----------------|
| PROJ: HUNTINGTON BEACH BLVD OF CARS | |
| TITLE: 3280-3010C | |
| DES. BY: | DRAWN BY: DOK |
| APPR. BY: | 7030-P08A-52012 |
| SCALE: 1"=160' | |

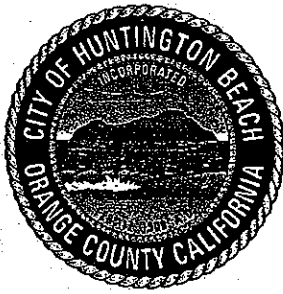


HUNTINGTON CENTER COMMERCIAL DISTRICT REDEVELOPMENT PROJECT AREA



HUNTINGTON BEACH, CALIFORNIA
PLANNING DIVISION





City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT

Business Development - Housing - Real Estate - Redevelopment

714.536.5582

www.hbbiz.com

fax - 714.375.5087

June 22, 2007

Monica Wilson
California Department of Transportation
Outdoor Advertising Program, M5-36
P.O. Box 942874
Sacramento, CA 94274

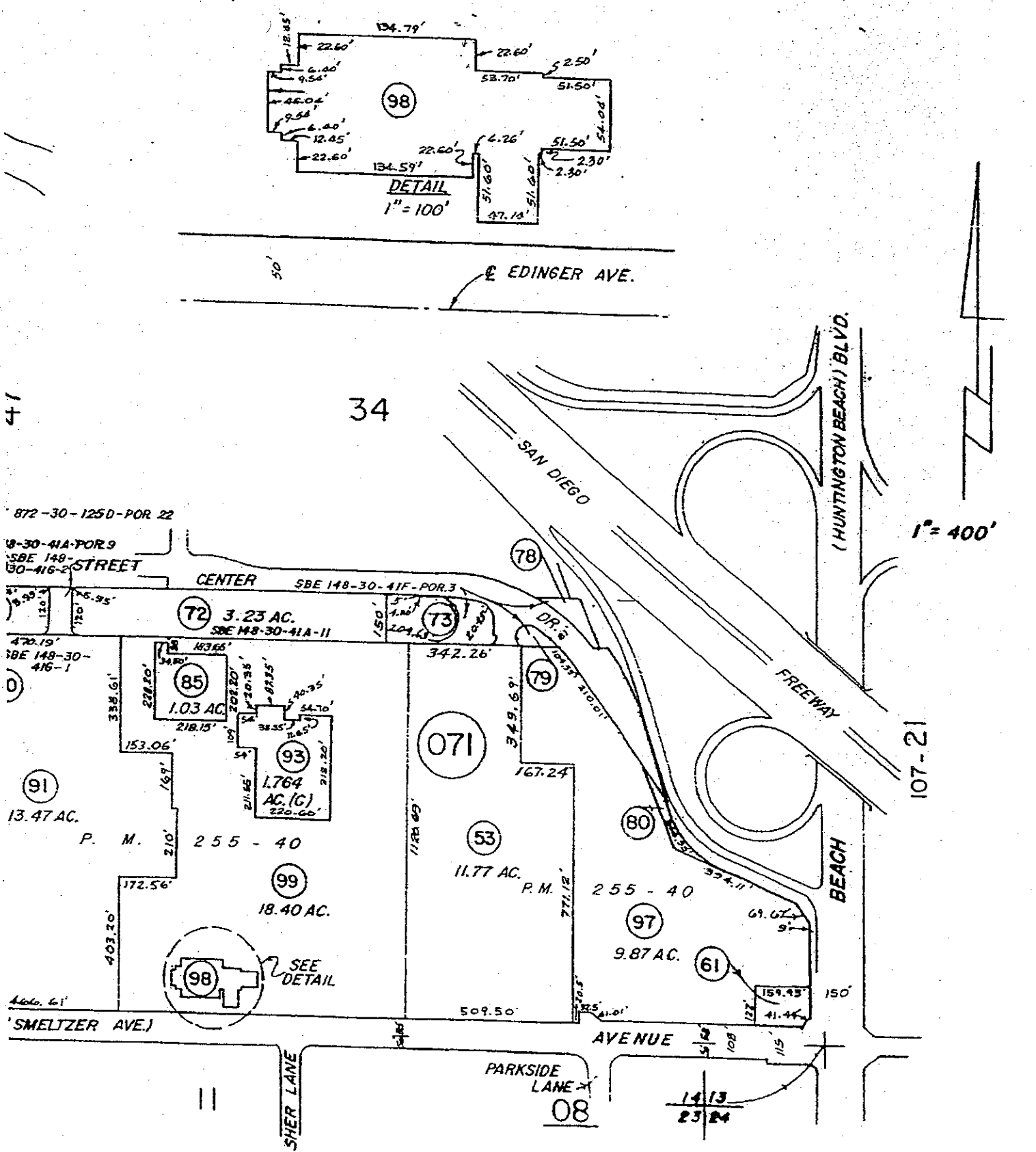
RE: EVIDENCE OF PROPERTY OWNERSHIP/PROPERTY OWNERSHIP
CONSENT

Dear Ms. Wilson:

This letter serves as verification that the subject site is within the City's right of way and thus, is owned by the City of Huntington Beach. Please see the enclosed Cal Trans form which contains the certification by display owner of the message center within the Huntington Center Commercial District Redevelopment Project Area. The property owner consent was signed by Stanley Smalewitz, Director of Economic Development.

Sincerely,

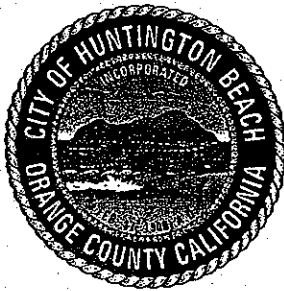
Paul Da Veiga
Economic Development Project Manager



NOTE - ASSESSOR'S BLOCK 8
PARCEL NUMBERS
SHOWN IN CIRCLES

ASSESSOR'S MAP
BOOK 142 PAGE 07
COUNTY OF ORANGE





City of Huntington Beach

2000 Main Street • Huntington Beach, CA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT
Business Development - Housing - Real Estate - Redevelopment
714.536.5582 www.hbbiz.com fax - 714.375.5087

June 22, 2007

Monica Wilson
California Department of Transportation
Outdoor Advertising Program, M5-36
P.O. Box 942874
Sacramento, CA 94274

RE: EXISTING HUNTINGTON BEACH AUTO DEALERS ELECTRONIC
FREEWAY DISPLAY

Dear Ms. Wilson:

Attached is a list of the dealers belonging to the Huntington Beach Auto Dealers Association. These dealers are allowed to advertise on the existing electronic freeway display sign, which is located within the Huntington Center Commercial District Redevelopment Project Area.

Sincerely,

Paul Da Veiga
Economic Development Project Manager

**Huntington Beach Auto Dealers Association
7755 Center Avenue
Huntington Beach, CA 92647**

**Huntington Beach Chrysler, Jeep,
Hummer**

Heritage Mazda

Toyota of Huntington Beach

DeLillo Chevrolet

Norm Reeves Honda

McKenna Motors Huntington Beach

Saturn of Huntington Beach

Huntington Beach Ford

Douglas Nissan of HB

Huntington Beach Dodge

Huntington Beach Mitsubishi

*** City of Huntington Beach/
Redevelopment Agency
2000 Main Street
Huntington Beach, CA 92648
(714) 536-5544 Fax 375-5087**

***5% For Public Service Advertizing.**

G: Doris/Auto Dealers Association List



City of Huntington Beach

Business License

714 536-5267 FAX 714 536-5934

P.O. Box 711
California 92648

Dan T. Vilella, CPA
Finance Director

HUNTINGTON BEACH AUTO DEALERS ASSOCIATION INC-BID
7755 CENTER AVE #1100
HUNTINGTON BEACH CA 92648

Dear Business Owner:

Thank you for your payment. Attached is your City of Huntington Beach Business License. Please note that approximately one month prior to the license expiration date, you will be mailed a renewal notice for the coming year. If for any reason your renewal notice does not arrive, you are still responsible to renew and pay your business license amount prior to the expiration date. You will incur penalties if this payment is not received by the expiration date.

Please post the business license in public view. If you do not transact business from a fixed location within the city, you must carry this license with you at all times. Your business vehicle should also carry this license, and the license plate number of the vehicle(s), if applicable, should match the one on the business license. Please notify Business License if there are any changes of ownership, address, business name, business vehicle, or type of business conducted. Additionally, please notify the city if you discontinue your business.

There are many resources available to our licensed business people. We have listed a few that might be of interest and assistance to you.

City of Huntington Beach Economic Development Department - 714-536-5582

Huntington Beach Chamber of Commerce - 714-536-8888

Huntington Beach SCORE (Service Corps of Retired Executives) - 714-550-7369

Fictitious Business Name Information - 714-834-2889

State Board of Equalization (seller's permit information) - 714-558-4059

If you have any questions, please call a Business License representative at 714-536-5267.

F1 . 50

City Of Huntington Beach Business License

Business Name / Service Address

HUNTINGTON BEACH AUTO DEALERS ASSOCIATION INC-BID
7755 CENTER Unit: 1100
HUNTINGTON BEACH

License Number A266335

License Type

Exempt

Effective Date 05/01/2007

Expiration Date 04/30/2008

Owner / Corporation

HUNTINGTON BEACH AUTO DEALERS ASSOCIATION



THIS LICENSE IS ONLY FOR THE BUSINESS AND
TYPE SHOWN. IT IS FOR THE PERSON TO WHOM
ISSUED AND IS NON-TRANSFERABLE. RENEWAL IS
DUE ON OR BEFORE THE EXPIRATION DATE.

Amount Paid \$21.86

SIC 5511

POST IN PUBLIC VIEW

1992

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
OUTDOOR ADVERTISING BRANCH

PURSUANT TO THE TERMS OF CHAPTER 32, STATUTES OF 1939 AND AS
AMENDED PERMISSION IS GRANTED TO PLACE AND MAINTAIN AN ADVERTISING DISPLAY.

EFFECTIVE
JANUARY 1, 1992

| | | | |
|-----------------------|---|-----------------|----------|
| PERMIT NUMBER | 39771 | OWNER DISPLAY # | |
| HIGHWAY DISTRICT | 12 | COUNTY | Ora |
| ROUTE | 405 | POST MILE | 18.64 |
| DISPLAY LOCATION | Huntington Beach | | |
| DISPLAY OWNER ADDRESS | Huntington Beach Redevelopment 2000 Main St. Huntington Beach, CA 92648 | DATE ISSUED: | 03/18/92 |
| SIZE: | 14x30 | | |

THIS PERMIT DOES NOT AUTHORIZE VIOLATION OF ANY ZONING ORDINANCE.
SECTION 5369 PROVIDES THAT THE ISSUANCE OF A PERMIT DOES NOT AFFECT THE OBLIGATION OF THE OWNER OF THE ADVERTISING DISPLAY TO COMPLY WITH A ZONING ORDINANCE APPLICABLE TO THE ADVERTISING DISPLAY UNDER THE PROVISIONS OF THIS CHAPTER NOR DOES THE PERMIT PREVENT THE ENFORCEMENT OF THE APPLICABLE ORDINANCE BY THE COUNTY.

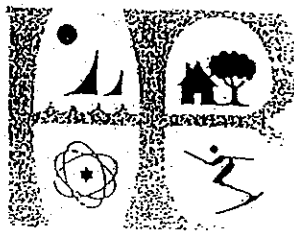
DEPUTY DIRECTOR

EXPIRATION DATE

DECEMBER 31, 1992

NOTICE

The enclosed permit is issued in conformance with Chapter 2 of the Business & Professions Code only. It does not include or imply permission for the permittee to either trim, cut or otherwise alter any vegetation or growth within the highway right of way to create or improve visibility to the permitted display nor does it include or imply that the State will trim, cut or otherwise alter any such vegetation or growth or grant permission to the permittee or his/her agents to do so.



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF ECONOMIC DEVELOPMENT

Office of the Director 536-5582
Housing 536-5542
Redevelopment 536-5582
Fax (714) 375-5087

February 12, 1992

Current Chief

~~S.E. Lancaster, Chief~~
~~Chief Outdoor Advertising Branch~~
State of California Department
of Transportation
1120 N. Street
P.O. Box 942874
Sacramento, California 94274-0001

→ *Debra Collett*
Chief Outdoor Advertising
phone 916-654-4750
FAX 916-654-4951

Dear Mr. Lancaster:

Enclosed is our application for a State Outdoor Advertising Structure Permit along with a site diagram and a check for \$40 (forty dollars).

We have provided a line of site marker for your site inspector. Please have your inspector contact my office prior to going to the site so we can be sure the marker is still in place.

Our research shows that our site lies within the non-bonus areas (between mile markers 1668-1623). Please let us know if you concur with this conclusion. My phone number is (714) 536-5224. Also, if you have questions regarding our permit application please do not hesitate to call me.

Thank you for the thoughtful assistance you and your staff has provided regarding our permit application.

Sincerely,

Thomas Andrusky
Thomas Andrusky
Assistant Project Manager

TA:jar

xc: Barbara A. Kaiser, Deputy City Administrator/Economic Development

F1.52

DRUG USE
IS
LIFE ABUSE

OUTDOOR ADVERTISING BRANCH

TRANSPORTATION BUILDING, 1120 N STREET, P.O. BOX 942874, SACRAMENTO, CA 94274-0001

APPLICATION FOR STATE OUTDOOR
ADVERTISING STRUCTURE PERMITDisplay Type: General Advertising ☐ Message Center ☒Exception (5405 et seq.) ☐

Complete all Sections. A copy will be returned for your records. Issuance of a permit will be delayed unless all items are filled in and the proper fees remitted. Make checks, money orders, etc., payable to the Department of Transportation.

Application Fee (non-refundable) \$30.00 \$ 30.00
 Permit Fee (refundable if application not approved unless previously cited) 10.00 \$ 10.00
 Penalty Fee (assessed if applicant placed structure prior to approval) 10.00 \$
 Preliminary Review Request Fee (only if prereview is requested) \$30.00 \$

Do not write in this space
 District 12 Co. Ora Rte. 405
 Road
 Post Mile 16.64L
 Audit No.: 92-11900
 Date granted 3-18-92 C.R. No. 395

V-shaped structures are
 separate displays and
 require separate applications.
 All permits expire December 31.

1. DISPLAY OWNER HUNTINGTON BEACH REDEVELOPMENT AGENCY

PRINT NAME OF FIRM OWNING STRUCTURE/SIGN

CITY OF HUNTINGTON BEACH, 2000 Main Street, HUNTINGTON BEACH, CA. 92648

PRINT NAME OF OWNER OF FIRM

STREET ADDRESS P.O. BOX

CITY

ZIP

2. PROPERTY OWNER OR PERSON IN CONTROL OF PROPERTY UPON WHICH DISPLAY IS SITUATED
HUNTINGTON BEACH REDEVELOPMENT AGENCY, 2000 MAIN STREET, HUNTINGTON BEACH, CA. 92648

PRINT NAME

STREET ADDRESS

CITY

ZIP

If consent to placing is written a copy of the consent document must be included.

PROPERTY OWNER MUST SIGN HERE if consent is VERBAL

3. Display to be installed in: ORANGE / HUNTINGTON BEACH on the SOUTH side of 405 FREEWAY

NAME OF COUNTY

NAME OF INCORPORATED CITY

N.E.W.

STATE ROUTE NO.

142-34-212 (150' east of #142-34-212) WEST of BEACH BLVD.

ROAD OR STREET NAME

7A mi

N.E.W.

NAME OF NEAREST CROSS ROAD, OVER/UNDERPASS

142-342-12 (150' east of #142-34-212)REDEVELOPMENT ZONE C-2

ZONING

4. Proposed installation date 4/92 Owner's Identification No. N/A If display has been cited, Notice No. N/A5. To be placed by REDEVELOPMENT AGENCY, 2000 MAIN STREET, HUNTINGTON BEACH, CA. 92648

NAME OF FIRM

ADDRESS

6. Display Location Sketch: Show U.S. or State Route Numbers or Name of Street; Show Name of Nearest Crossroad, Over/Underpass; or Nearest Landmark; Indicate Single Panel thus— I; Indicate V-shaped Display thus— V. Show distance of display from intersection.

THIS SPACE FOR LOCATION SKETCH

7. DESCRIPTION OF DISPLAY

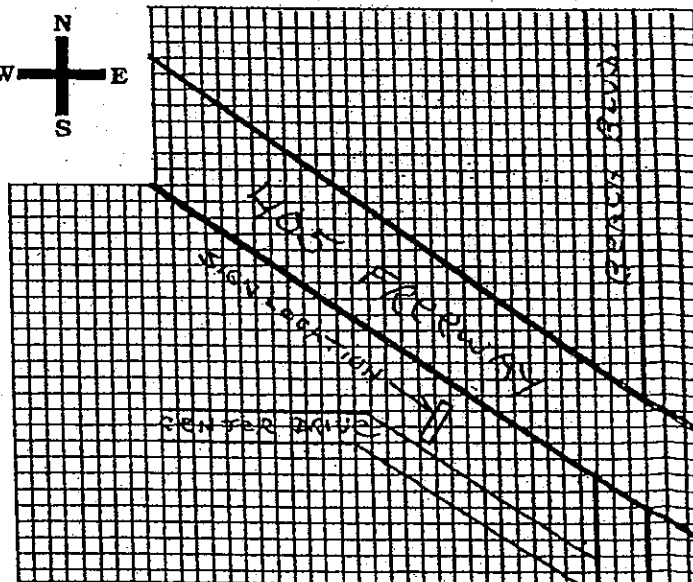
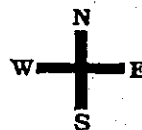
Material (check)

Panel: Height 14 Length 30 Wood ☐ Metal ☒ Other ☐Uprights: Number 2 Size 5' ☐ ☒ ☐Distance between panel and ground 66'Illumination? YES Reflector Material N/ACopy one side ☐ Both sides ☒Indicate facing EAST & WEST

(N.E.W.)

1/2 of a V-shaped display ☐"APPROVED ON-PREMISE
COPY ONLY"

8. Advertising Copy:

CITY OF HUNTINGTON BEACH
REDEVELOPMENT AGENCY

The applicant hereby agrees to place and maintain the advertising described above in accordance with the provisions of the Outdoor Advertising Act, local zoning ordinances, and any other applicable regulations. The applicant certifies that the statements made in this application are true, and understands that any incorrect statement of fact may be grounds for the denial of a permit or for revocation if already granted.

SIGN HERE Thomas Andrews HUNTINGTON BEACH REDEVELOPMENT AGENCY
 DISPLAY OWNER OR AUTHORIZED AGENT 2000 MAIN STREET California, FEB. 5TH, 19 92
 HUNTINGTON BEACH, CA. 92648 DATE

GENERAL INFORMATION

GENERAL CRITERIA

- A. A State permit is required if the display will be visible from any highway or county road **before** the display is placed.
B. The approval of local zoning authorities is required in addition to a State permit.

CRITERIA FOR ALL INTERSTATE AND PRIMARY** HIGHWAYS AND ALL PUBLIC ROADS LOCATED OUTSIDE OF INCORPORATED CITIES

(A "NO" answer to any question indicates the sign might not be permittable.)

- | | |
|---|---|
| 1. Location must be outside of the right of way of any highway. | (circle one) <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 2. Display may not be designed to imitate or simulate any directional, warning, information or official sign nor be likely to be construed as one or giving any instructions to traffic. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 3. Location must be outside of any stream, channel or below flood-water levels. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 4. Display must be designed so there is no red, blinking or intermittent light that might be mistaken for a warning or danger signal. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 5. Display may not be designed to have any illumination so bright or so placed to blind or dazzle travelers on the highway. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 6. Display must be at least 300' from any intersection except on the crossbar side of a T-intersection. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 7. Display must be located so as not to obstruct or prevent a clear view to approaching vehicles for a distance of 300' unless some other permanent building or structure already obscures such vision. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 8. Display must be located so as not to prevent any traveler on any highway from obtaining a clear view of approaching vehicles for a distance of 500'. | <input checked="" type="radio"/> Yes <input type="radio"/> No |

CRITERIA FOR ALL PRIMARY AND INTERSTATE HIGHWAYS ONLY:

- | | |
|---|---|
| 1. Location where sign will be, must be within 1000' of an existing industrial or commercial activity. | (circle one) <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 2. Location where sign will be placed must be zoned "industrial" or "commercial". | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 3. Sign will be <u>without</u> any flashing or moving lights. (Time, date, temperature signs are permissible.) | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 4. Sign will be at least 500' from the nearest sign on the same side if next to a freeway. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 5. Sign will be at least 300' from the nearest sign on same side if next to a non-freeway highway outside of an urban area. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 6. Sign will be at least 100' from the nearest sign on same side of a non-freeway within an urban area. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 7. Sign will be at least 500' from an interchange or roadside rest if outside of an urban area. | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| 8. Sign will be 1200 square feet or less in area, and not over 60' long or 25' high. | <input checked="" type="radio"/> Yes <input type="radio"/> No |

ADDITIONAL CRITERIA

Displays may not be permitted if adjacent to and designed primarily to be viewed from a landscaped freeway**.

IF SIGN LOCATION IS ADJACENT TO BONUS SEGMENT OF AN INTERSTATE HIGHWAY**:

- Location must be at least 2 miles in advance of next exit roadway.
Location must be at least 1000' past the last entrance roadway.
Display must be at least 1000' from the nearest sign facing same direction of traffic on either side of highway.
Sign may not exceed 150 square feet in area or 20' in length or height.
Sign will have no moving or animated parts or any type of flashing light.

The undersigned certifies that the responses listed above are true and correct and that he or she has verified their accuracy. The undersigned applicant further agrees that if any of the above statements are incorrect, they may be grounds for denial of this permit or revocation if a permit has already been granted based on such information.

**DEFINITIONS:

FEDERAL-AID PRIMARY HIGHWAY:

"Primary highway" means any highway, other than an interstate highway, at any time officially designated as a part of the federal-aid primary system by the director and approved by appropriate authority of the federal government.

INTERSTATE HIGHWAY:

"Interstate highway" means any highway at any time officially designated as a part of the national system of interstate and defense highways by the director and approved by appropriate authority of the federal government.

BONUS SEGMENT OF INTERSTATE HIGHWAY:

"Bonus segment" means any segment of an interstate highway which was covered by the Federal-Aid Highway Act of 1958 and the Collier-Z'berg Act, namely, any such segment which is constructed upon right-of-way, the entire width of which was acquired after July 1, 1956.

LANDSCAPED FREEWAY:

"Landscaped freeway" means a section or sections of a freeway for which a contract has been let for planting at least on one side of the freeway right-of-way of lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance.

X Thomas Anderson

CERTIFICATION BY DISPLAY OWNER
COVERING MESSAGE CENTER DISPLAYS

The undersigned hereby certifies that they desire to place a message center display on their property and understand that such display may only be used to advertise the business conducted or services rendered or goods produced or sold on the property on which the display is to be placed.

In addition, the undersigned certifies that said display will be operated so that it meets the following criteria:

- (a) The proposed display will have no illumination which is in continuous motion or which appears to be in continuous motion.
- (b) The display message will not change at a rate faster than one message every four seconds.
- (c) The interval between messages will not be less than one second.
- (d) The intensity of illumination will not change.

X Thomas Audenly

(signature)

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET

SAN DIEGO, CA 92110 MS230

PHONE (619) 688-3282

TTY 711

*Flex your power!
Be energy efficient!*

RECEIVED

JUN 20 2007

DEPARTMENT OF
ECONOMIC DEVELOPMENT

June 18, 2007

City of Huntington Beach
Redevelopment Agency
2000 Main Street
Huntington Beach, CA 92648

To Whom It May Concern:

This letter is to clarify the reason you are receiving the enclosed Notice of Violation of the Outdoor Advertising Act.

The Huntington Beach Auto Mall sign located on City of Huntington Beach property on State Route 405 approximately 900 feet west of Beach Boulevard is in violation because it is advertising without an off-premise Outdoor Advertising Permit and it is located adjacent to a landscaping segment of a State freeway.

Please call me at (619)688-3282 if you have any questions.

Sincerely,

GERDA HOLMSTROM
Outdoor Advertising Program
Department of Transportation, District 11

bc: Huntington Beach Auto Dealers

6/21 c: DAVEIGA + Mulvihill from Smale 11/11

DEPARTMENT OF TRANSPORTATIONDIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM

PHONE

(916) 654-6473

INTERNET ADDRESS

<http://www.dot.ca.gov/oda>

June 15, 2007

**NOTICE OF VIOLATION
OF THE OUTDOOR ADVERTISING ACT**
FORM E-OA-3 (Rev. 11/98)**CERTIFIED MAIL**City of Huntington Beach
Redevelopment Agency
2000 Main St.
Huntington Beach, CA
92648VIOLATION NUMBER: V12-0008
COUNTY, RTE, PM: Orange, 405, 16.64 L
DISPLAY LOCATION: 987 ft. W of Route 39 -- Beach
Blvd.

| DESCRIPTION OF DISPLAY | | | |
|-------------------------------------|--------------------------------|---|--|
| <u>Panel:</u> | Height <u>25</u> | Length <u>20</u> | Sq. Feet <u>500</u> |
| <u>Uprights:</u> | Number <u>2</u> | Size <u>5 x 5</u> | Material <u>Other</u> |
| Distance, Bottom of Panel to Ground | | <u>66 feet</u> | Illumination <u>Yes</u> |
| Panel On: | <input type="radio"/> One Side | <input checked="" type="radio"/> Both Sides | <input type="radio"/> V-Shaped Display |
| Copy Contained on Panel(s): | | | |
| Auto Mail | | | |

You are hereby notified that the display described above is in violation of the Outdoor Advertising Act, Business and Professions Code.

- ☒ **Business and Professions Code, Section 5350** No Person shall place any advertising without first having secured a written permit.
- ☒ **Other: Display adjacent to a landscaped freeway (Section 5440 of B&P Code).**
Describe:

You are required to do one of the following within 30 days from the certified mailing date of this notice. Either:

1. Correct the violation and notify person below of compliance.
2. Remove the display and notify person below of compliance.
3. Appeal pursuant to the Government Code, Section 11500. Send written appeal to:

California Department of Transportation
Division of Traffic Operations
Outdoor Advertising Program, MS-36
P.O. Box 942874
Sacramento, CA 94274-0001

Extensions of any time period can only be granted in writing from the Outdoor Advertising Program Administrative Office in Sacramento. Lack of compliance will make you subject to the penalty provision of Business and Professions Code, Section 5485, attached hereto.

Business and Professions Code, Chapter 2 Section 5485(b)(2)(c)(d)

- (b) If a display is placed or maintained without a valid, unrevoked, and unexpired permit, the following penalties shall be assessed:
 - (2) If the advertising display is placed or maintained in a location that does not conform to the provisions of this chapter or local ordinances, and is not removed within thirty days of written notice from the department or the city or the county with land use jurisdiction over the property upon which the advertising display is located, a penalty of ten Thousand dollars (\$10,000) plus one hundred dollars (\$100) for each day the advertising display is placed or maintained after the department sends written notice shall be assessed.
- (c) In addition to the penalties set forth in subdivision (b), the gross revenues from the Unauthorized advertising display that are received by, or owed to, the applicant and a person working in concert with the applicant shall be disgorged.
- (d) The department or a city or a county within the location upon which the advertising is located may enforce the provisions of this section.

California Code of Regulations Title, 4, Chapter 6
Section 2441 Violations for Permanent Displays

- (a) When the Department determines a permanently placed Display violates the Act or these regulations, the owner of that Display is given a written violation notice by certified mail that the Display is in violation and subject to removal, and the owner is liable for all statutory penalties and, if the Display is removed by the Department, actual costs of removal.
- (b) The violation notice states the violation, the owner's responsibility to respond, and the owner's opportunity to request a review by the Director pursuant to the provisions section 2241 (b) of these Regulations.
- (c) If the display has been issued a permit, the violation notice is issued to the Permittee unless the Department has been notified in writing that another party with a property interest in the Display also has requested notice of any action concerning the Display. When a Permittee differs from the name on the Display, it is assumed the Permittee is the Display owner and the entity named on the Display is only maintaining it, unless the Department has been notified otherwise. When the owner of the Display is not plainly displayed thereon and no permit exists, the violation notice shall be issued to either the property owner at the address on record with the county assessor's office or the advertiser identified on the Display.
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 - (3) Appeal to the Director in writing pursuant to the provisions of section 2241 (b) of these Regulations. This request shall contain a statement of reasons supporting the Appeal pursuant to Section 2442 of these regulations.

- (f) The owner's failure to respond to the violation notice within 30 days of the date of its certified mailing results in a waiver of the right to Appeal the following:
- (1) The validity of the violation(s) stated in the violation notice.
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Section 2442 Review of Violation Notice

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- (b) The amount of any fine, penalty, or assessed removal costs.
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If you have any questions, please call the telephone number provided on the header of the Notice of Violation. In any written correspondence, please include the violation number listed on the Notice of Violation. Failure to respond in writing to this Notice of Violation will be considered a waiver of your right to protest the violation. Thereafter, you are subject to the above fines and the display will be removed and destroyed at the expense of the person or company in violation.

*The Proceedings are governed by the Administrative Procedure Act, Government Code, Section 11500 et seq.

The Department has adopted Administrative Hearing Precedent Decisions pursuant to Government Code section 11425.60 which may be applicable in certain appeals. The Department's Precedent Decisions can be accessed through the Outdoor Advertising programs home page www.dot.ca.gov.

Gerda Holmstrom
District Chief, Outdoor Advertising

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET

SAN DIEGO, CA 92110 MS230

PHONE (619) 688-3282

TTY 711



RECEIVED

JUN 20 2007

Flex your power!
Be energy efficient!

June 18, 2007

DEPARTMENT OF
ECONOMIC DEVELOPMENT

City of Huntington Beach
Redevelopment Agency
2000 Main Street
Huntington Beach, CA 92648

To Whom It May Concern:

This letter is to clarify the reason you are receiving the enclosed Notice of Violation of the Outdoor Advertising Act.

The Huntington Beach Auto Mall sign located on City of Huntington Beach property on State Route 405 approximately 900 feet west of Beach Boulevard is in violation because it is advertising without an off-premise Outdoor Advertising Permit and it is located adjacent to a landscaping segment of a State freeway.

Please call me at (619)688-3282 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerda Holmstrom".

GERDA HOLMSTROM
Outdoor Advertising Program
Department of Transportation, District 11

bc: Huntington Beach Auto Dealers

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRAFFIC OPERATIONS
OUTDOOR ADVERTISING PROGRAM

PHONE
INTERNET ADDRESS

(916) 654-6473
<http://www.dot.ca.gov/oda>

June 15, 2007

**NOTICE OF VIOLATION
OF THE OUTDOOR ADVERTISING ACT**
FORM E-OA-3 (Rev. 11/98)

CERTIFIED MAIL

City of Huntington Beach
Redevelopment Agency
2000 Main St.
Huntington Beach, CA
92648

VIOLATION NUMBER: V12-0008
COUNTY, RTE, PM: Orange, 405, 16.64 L
DISPLAY LOCATION: 987 ft. W of Route 39 - Beach Blvd.

| DESCRIPTION OF DISPLAY | | | |
|--|--------------------------------|---|--|
| <u>Panel:</u> | Height <u>25</u> | Length <u>20</u> | Sq. Feet <u>500</u> |
| <u>Uprights:</u> | Number <u>2</u> | Size <u>5 x 5</u> | Material <u>Other</u> |
| Distance, Bottom of Panel to Ground <u>66 feet</u> | | Illumination <u>Yes</u> | |
| Panel On: | <input type="radio"/> One Side | <input checked="" type="radio"/> Both Sides | <input type="radio"/> V-Shaped Display |
| Copy Contained on Panel(s): | | | |
| Auto Mail | | | |

You are hereby notified that the display described above is in violation of the Outdoor Advertising Act, Business and Professions Code.

- ☒ **Business and Professions Code, Section 5350** No Person shall place any advertising without first having secured a written permit.
- ☒ **Other: Display adjacent to a landscaped freeway (Section 5440 of B&P Code).**
Describe:

You are required to do one of the following within 30 days from the certified mailing date of this notice. Either:

1. Correct the violation and notify person below of compliance.
2. Remove the display and notify person below of compliance.
3. Appeal pursuant to the Government Code, Section 11500. Send written appeal to:

California Department of Transportation
Division of Traffic Operations
Outdoor Advertising Program, MS-36
P.O. Box 942874
Sacramento, CA 94274-0001

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Business and Professions Code, Chapter 2 Section 5485(b)(2)(c)(d)

- (b) If a display is placed or maintained without a valid, unrevoked, and unexpired permit, the following penalties shall be assessed:
 - (2) If the advertising display is placed or maintained in a location that does not conform to the provisions of this chapter or local ordinances, and is not removed within thirty days of written notice from the department or the city or the county with land use jurisdiction over the property upon which the advertising display is located, a penalty of ten Thousand dollars (\$10,000) plus one hundred dollars (\$100) for each day the advertising display is placed or maintained after the department sends written notice shall be assessed.
- (c) In addition to the penalties set forth in subdivision (b), the gross revenues from the Unauthorized advertising display that are received by, or owed to, the applicant and a person working in concert with the applicant shall be disgorged.
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California Code of Regulations Title, 4, Chapter 6
Section 2441 Violations for Permanent Displays

- (a) When the Department determines a permanently placed Display violates the Act or these regulations, the owner of that Display is given a written violation notice by certified mail that the Display is in violation and subject to removal, and the owner is liable for all statutory penalties and, if the Display is removed by the Department, actual costs of removal.
- (b) The violation notice states the violation, the owner's responsibility to respond, and the owner's opportunity to request a review by the Director pursuant to the provisions section 2241 (b) of these Regulations.
- (c) If the display has been issued a permit, the violation notice is issued to the Permittee unless the Department has been notified in writing that another party with a property interest in the Display also has requested notice of any action concerning the Display. When a Permittee differs from the name on the Display, it is assumed the Permittee is the Display owner and the entity named on the Display is only maintaining it, unless the Department has been notified otherwise. When the owner of the Display is not plainly displayed thereon and no permit exists, the violation notice shall be issued to either the property owner at the address on record with the county assessor's office or the advertiser identified on the Display.
- (d) A new violation notice is not issued if the Display is sold, transferred, or the copy is changed. When purchasing a Display, the new Display owner is responsible for determining the legal status of the Display by contacting the Office of Outdoor Advertising.
- (e) The owner has 30 days from the date of the certified mailing of the violation notice to respond as follows:
 - (1) Correct the violation, or
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(f) The owner's failure to respond to the violation notice within 30 days of the date of its certified mailing results in a waiver of the right to Appeal the following:

- (1) The validity of the violation(s) stated in the violation notice.
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If you have any questions, please call the telephone number provided on the header of the Notice of Violation. In any written correspondence, please include the violation number listed on the Notice of Violation. Failure to respond in writing to this Notice of Violation will be considered a waiver of your right to protest the violation. Thereafter, you are subject to the above fines and the display will be removed and destroyed at the expense of the person or company in violation.

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Gerda Holmstrom
District Chief, Outdoor Advertising

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DISTRICT 11

4050 TAYLOR STREET

SAN DIEGO, CA 92110 MS230

PHONE (619) 688-3282

TTY 711

*Flex your power!
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RECEIVED

JUN 20 2007

DEPARTMENT OF
ECONOMIC DEVELOPMENT

June 18, 2007

City of Huntington Beach
Redevelopment Agency
2000 Main Street
Huntington Beach, CA 92648

To Whom It May Concern:

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Outdoor Advertising Program
Department of Transportation, District 11

bc: Huntington Beach Auto Dealers

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OF THE OUTDOOR ADVERTISING ACT**
FORM E-OA-3 (Rev. 11/98)

CERTIFIED MAIL

City of Huntington Beach
Redevelopment Agency
2000 Main St.
Huntington Beach, CA
92648

VIOLATION NUMBER: V12-0008
COUNTY, RTE, PM: Orange, 405, 16.64 L
DISPLAY LOCATION: 987 ft. W of Route 39 -- Beach
Blvd.

| DESCRIPTION OF DISPLAY | | | |
|-------------------------------------|--------------------------------|---|--|
| <u>Panel:</u> | Height <u>25</u> | Length <u>20</u> | Sq. Feet <u>500</u> |
| <u>Uprights:</u> | Number <u>2</u> | Size <u>5 x 5</u> | Material <u>Other</u> |
| Distance, Bottom of Panel to Ground | | <u>66 feet</u> | Illumination <u>Yes</u> |
| Panel On: | <input type="radio"/> One Side | <input checked="" type="radio"/> Both Sides | <input type="radio"/> V-Shaped Display |
| Copy Contained on Panel(s): | | | |
| Auto Mall | | | |

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- ☒ X Business and Professions Code, Section 5350 No Person shall place any advertising without first having secured a written permit.
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Outdoor Advertising Program
Department of Transportation, District 11

bc: Huntington Beach Auto Dealers

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June 15, 2007

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| Copy Contained on Panel(s): <u>Auto Mall</u> | | | |

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Gerda Holmstrom
District Chief, Outdoor Advertising

Westlaw.

4 CA ADC § 2245

Page 1

4 CCR s 2245

Cal. Admin. Code tit. 4, s 2245

**BARCLAYS OFFICIAL CALIFORNIA CODE
OF REGULATIONS**

**TITLE 4. BUSINESS REGULATIONS
DIVISION 6. OUTDOOR ADVERTISING,
DEPARTMENT OF TRANSPORTATION
CHAPTER 1. OUTDOOR
ADVERTISING-GENERAL**

This database is current through 4/6/07, Register
2007, No. 14

**s 2245. Extension of Time Limit for an On-Premise
Display Within a Redevelopment Project.**

A Display is considered on-premise within a redevelopment project for a period of 10 years or the completion of the project, whichever first occurs, unless an arrangement is made between the redevelopment agency and the Department to extend the period for good cause.

(a) The Department provides written notice to the redevelopment agency governing the project and a copy to the Permittee if different, that the time limitation is expiring, after which Sections 5272 and 5405 of the Act apply.

(b) The redevelopment agency may request the Department to extend the time limit for a Display to be considered on-premise within a redevelopment project. The request must be in writing and made before the 10-year period expires or within 30 days of the Department's notice, whichever is later. The written request must also identify the good cause for extension and the estimated project completion date.

(c) The Department provides a written response within 30 days of receiving the request for extension from the redevelopment agency.

(d) If an extension is not arranged, the Display must meet the requirements of Sections 5272 and 5405 of the Act, or a new permit must be

obtained. If the Display does not meet one of those requirements, the Display must be removed or is subject to the violation, penalty and removal provisions of the Act and these regulations.

<General Materials (GM) - References,
Annotations, or Tables>

Note: Authority cited: Sections 5250 and 5415, Business and Professions Code. Reference: Sections 5272, 5273, 5405 and 5485, Business and Professions Code.

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4 CA ADC § 2245

Page 2

4 CCR s 2245

Cal. Admin. Code tit. 4, s 2245

HISTORY

1. New section filed 9-20-99; operative 10-20-99 (Register 99, No. 39).

2. Amendment of subsection (d) and amendment of Note filed 11-23-2004; operative 12-23-2004 (Register 2004, No. 48).

4 CCR s 2245, 4 CA ADC s 2245

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4 CA ADC s 2245

END OF DOCUMENT

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ATTACHMENT #3

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CALIFORNIA CODES
BUSINESS AND PROFESSIONS CODE
SECTION 5440-5443.5

5440. Except as otherwise provided in this article, no advertising display may be placed or maintained on property adjacent to a section of a freeway that has been landscaped if the advertising display is designed to be viewed primarily by persons traveling on the main-traveled way of the landscaped freeway.

5440.1. Except as provided in Section 5442.5, no advertising display may be placed or maintained along any highway or segment of any interstate highway or primary highway that before, on, or after the effective date of Section 131(s) of Title 23 of the United States Code is an officially designated scenic highway or scenic byway.

5441. Any advertising display which is now, or hereafter becomes, in violation of Section 5440 shall be subject to removal three years from the date the freeway has been declared a landscaped freeway by the director or the director's designee and the character of the freeway has been changed from a freeway to a landscaped freeway.

5442. Section 5440 does not apply to any advertising structure or sign if the advertising display is used exclusively for any of the following purposes:

- (a) To advertise the sale or lease of the property upon which the advertising display is placed.
- (b) To designate the name of the owner or occupant of the premises upon which the advertising display is placed, or to identify the premises.
- (c) To advertise goods manufactured or produced, or services rendered, on the property upon which the advertising display is placed.

5442.5. Section 5440.1 does not apply to any advertising display if the advertising display is used exclusively for any of the following purposes:

- (a) Directional and official signs and notices, including, but not be limited to, signs and notices pertaining to natural wonders or scenic and historical attractions that are otherwise required or authorized by law and conform to regulations adopted by the department.
- (b) Signs, displays, and devices advertising the sale or lease of real property upon which they are located.
- (c) Signs, displays, and devices, including, but not limited to, those that may be changed at reasonable intervals by electronic process or by remote control, advertising activities conducted on the property on which they are located.
- (d) Signs lawfully in existence on October 22, 1965, as determined by the department to be landmark signs, including signs on farm structures or natural surfaces, or of historic or artistic significance the preservation of which, in the opinion of the

F1.74

department, would be consistent with the purposes of this section, as determined by regulations adopted by the department.

(e) Signs, displays, and devices advertising the distribution by nonprofit organizations of free coffee to individuals traveling on the interstate system or the primary system. For the purpose of this subdivision, the term "free coffee" means, coffee for which a donation may be made, but is not required.

5442.7. (a) Section 5440 does not apply to any freestanding identifying structure that is used exclusively to identify development projects, business centers, or associations located within the jurisdiction of, and sponsored by, the City of Richmond to support economic development activities.

(b) A structure erected pursuant to subdivision (a) shall conform to all of the following conditions:

(1) Not more than one identifying structure may be used by the City of Richmond and only if approved by that city by ordinance or resolution after a duly noticed public hearing regarding the structure.

(2) Placement of the structure shall not require the immediate trimming, pruning, topping, or removal of existing trees to provide visibility to the structure, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the structure.

(3) The structure shall be generic only and shall not identify any specific business.

(4) No public funds may be expended to pay for the costs of the structure.

(5) The structure shall not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code.

5442.8. Section 5440 does not apply to any advertising structure or sign if the advertising display is used exclusively to identify development projects, business centers, or associations located within the jurisdiction of, or sponsored by, the City of Costa Mesa to support economic development activities, if all of the following conditions are met:

(a) No other display is used by the city pursuant to this section.

(b) The governing body of the city has authorized placement of the display by an ordinance or resolution adopted following a duly noticed public hearing regarding the display.

(c) Placement of the display will not necessitate the immediate trimming, pruning, topping, or removal of existing trees in order to make the display visible or to improve its visibility, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(d) The display does not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

5442.9. (a) Notwithstanding Section 5440, a city described in subdivision (b) may erect a nonconforming display if all of the following apply:

(1) The display is placed on property that the city has owned since before January 1, 1995.

(2) Not more than one additional display is added to the number of signs within the city that do not conform to this article as of

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January 1, 2000.

(3) The display is located within the boundaries of the city.

(4) Placement or maintenance of the display does not require the immediate trimming, pruning, topping, or removal of existing trees to provide visibility to the display, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement or maintenance of the display.

(5) No public funds are required to be expended to pay for the costs of the display.

(6) The display does not impose additional liability on the Department of Transportation.

(7) The display does not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

(8) All proceeds received by a participating city by allowing the erection of the nonconforming display are expended by the city solely for parks and programs for at-risk youth.

(9) The display does not advertise products or services which are directed at an adult population, including, but not limited to, alcohol, tobacco, and gambling activities.

(b) For purposes of this section, city is any city that meets all of the following conditions:

(1) The city's population is 17,000 persons or less.

(2) The city's annual budget is less than eight million dollars (\$8,000,000).

(3) The city's geographical area is less than 1.7 square miles.

(4) The city is located in an urbanized county containing a population of 6,000,000 or more persons.

5442.10. (a) Notwithstanding any other provision of this chapter, Section 5440 does not apply to any advertising display if all of the following conditions are met:

(1) Not more than five advertising displays, whose placement or maintenance is otherwise prohibited under this chapter, shall be erected and only if approved by the Oakland-Alameda County Coliseum Authority.

(2) All five advertising displays shall meet the 1,200 square foot size restriction set forth in subdivision (a) of Section 5408. However, subject to subdivision (b), three of the advertising displays may be vertically oriented so long as those displays do not exceed 60 feet in height and 25 feet in length, including border and trim and excluding base or apron supports, and other structural members.

(3) The display area of each advertising display is measured by the smallest square, rectangle, circle, or combination that will encompass the display area. For purposes of this section, embellishments and secondary signs located in the border or trim around a display area advertising the name of the coliseum complex or the identities of athletic teams who are licensees or lessees of all or portions of the Oakland-Alameda County Coliseum Complex shall not cause the border or trim areas to be included in a display face for measurement purposes. In the case of an LED display advertising on-premises activities at the Oakland-Alameda County Coliseum Complex, or off-premises, noncommercial community activities, the LED portion of the display face shall not be included for measurement purposes.

(4) Placement or maintenance of each advertising display does not require the immediate trimming, pruning, topping, or removal of trees located on a state highway right-of-way to provide visibility to the advertising display, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

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(5) No advertising display shall advertise products or services that are directed at an adult population, including, but not limited to, alcohol, tobacco, gambling, or sexually explicit material.

(6) Each advertising display shall be located on the Oakland-Alameda County Coliseum Complex property and shall comply with the spacing requirements set forth in subdivision (d) of Section 5408, as implemented by department regulation.

(7) If any advertising display erected pursuant to this section is removed for purposes of a transportation project undertaken by the department, the display owner is entitled to relocate that display within the Oakland-Alameda County Coliseum Complex property, and is not entitled to monetary compensation for the removal or relocation even if relocation is not possible.

(8) The display shall not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code.

(b) For the specific purpose of this section and in accordance with the Memorandum for Record with the Federal Highway Administration dated January 17, 2001, upon the written request of the Oakland-Alameda County Coliseum Authority on behalf of its licensee or contractor seeking to erect one or more of the three advertising displays allowed by paragraph (2) of subdivision (a) consisting of a size not to exceed 60 feet in height and 25 feet in length, the department shall promptly request Federal Highway Administration approval of that change in orientation to ensure that the advertising displays will not cause a reduction in federal aid highway funds. Upon receipt of the approval from the Federal Highway Administration, the advertising display or displays may be erected.

(c) For the purposes of this section, the Oakland-Alameda County Coliseum Complex is the real property and improvements located at 7000 Coliseum Way, City of Oakland, and more particularly described in Parcel Map 7000, filed August 1, 1996, Map Book 223, Page 84, Alameda County Records, Assessor's Parcel Nos. 041-3901-008 and 041-3901-009.

5442.11. Notwithstanding any other provision of this chapter, Section 5440 does not apply to any advertising display in the Mid-City Recovery Redevelopment Project Area within the City of Los Angeles if all of the following conditions are met:

(a) Not more than four advertising displays, whose placement or maintenance is otherwise prohibited under this chapter, may be erected if approved by the Community Redevelopment Agency of the City of Los Angeles as part of an owner-participation agreement or disposition and development agreement.

(b) All four advertising displays meet the requirements set forth in Section 5405 and 5408.

(c) Placement or maintenance of each advertising display does not require the immediate trimming, pruning, topping, or removal of trees located on a state highway right-of-way to provide visibility to the advertising display, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(d) No advertising display shall advertise products or services that are directed at an adult population, including, but not limited to, alcohol, tobacco, gambling, or sexually explicit material.

(e) If any advertising display erected pursuant to this section is removed for purposes of a transportation project undertaken by the department, the display owner is entitled to relocate that display and is not entitled to monetary compensation for the removal or relocation.

(f) The advertising display shall not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the

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United States Code.

5442.13. (a) Notwithstanding any other provision of this chapter, Section 5440 shall not prohibit an advertising display in the City of Los Angeles by a not-for-profit educational academy that is exempt from taxation pursuant to Section 501(c)(3) of Title 26 of the United States Code, if all of the following conditions are met:

(1) The exception provided by this section is limited to only one advertising display.

(2) The site of the academy is located immediately adjacent to State Highway Routes 10 and 110 in the City of Los Angeles.

(3) The academy's curriculum focuses on providing arts and entertainment business education.

(4) The advertising display is constructed on the roof of the academy's facility.

(5) The advertising display meets the requirements set forth in Sections 5405 and 5408.

(6) Placement or maintenance of the advertising display does not require the immediate trimming, pruning, topping, or removal of trees located on a state highway right-of-way to provide visibility to the advertising display, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(7) Revenues accruing to the academy from the advertising display are used exclusively for the acquisition, operation, and improvement of the academy.

(b) An advertising display erected pursuant to this section shall not advertise products or services that are directed at an adult population, including, but not limited to, alcohol, tobacco, gambling, or sexually explicit material.

(c) If an advertising display erected pursuant to this section is removed for purposes of a transportation project undertaken by the department, the display owner shall be entitled to relocate that advertising display with no compensation for the removal or relocation, and the relocation shall be limited to a site on the property of the academy specified in subdivision (a).

(d) An advertising display erected pursuant to this section shall not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

(e) If the academy specified in subdivision (a) closes or otherwise ceases to operate, the advertising display permitted under this section shall no longer be authorized and shall be removed from the property of the academy.

(f) Notwithstanding Section 5412, if the property on which the academy specified in subdivision (a) is sold, the seller shall remove the billboard from the property without compensation before title to the property is transferred to the buyer.

(g) The academy specified in subdivision (a) shall prepare an audit of the revenues generated by the advertising display authorized under this section that includes, but is not limited to, the total revenues generated from the display, the amount of revenues received by the academy, and the expenditures and uses of the revenue. The audit shall be submitted to the Controller and the Legislature on or before January 1, 2007, and every four years thereafter.

(h) The academy specified in subdivision (a) shall comply with the provisions of the City of Los Angeles regulation designated as Section 12.21A 7 (1) of the Los Angeles Municipal Code. The requirements of this subdivision shall be waived if the City of Los Angeles fails to implement, comply with, and make a determination pursuant to the provisions of Section 12.21A7 (1) of the Los Angeles Municipal Code on or before January 1, 2005.

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5443. Nothing in this article prohibits either of the following:

(a) Any county from designating the districts or zones in which advertising displays may be placed or prohibited as part of a county land use or zoning ordinance.

(b) Any governmental entity from entering into a relocation agreement pursuant to Section 5412 or the department from allowing any legally permitted display to be increased in height at its permitted location or to be relocated if a noise attenuation barrier is erected in front of the display or if a building, construction, or structure, including, but not limited to, a barrier, bridge, overpass, or underpass, has been or is then being erected by any government entity that obstructs the display's visibility within 500 feet of the display and that relocated display or that action of the department would not cause a reduction in federal aid highway funds as provided in Section 131 of Title 23 of the United States Code or an increase in the number of displays within the jurisdiction of a governmental entity which does not conform to this article. Any increase in height permitted under this subdivision shall not be more than that necessary to restore the visibility of the display to the main-traveled way. An advertising display relocated pursuant to this subdivision shall comply with all of the provisions of Article 6 (commencing with Section 5350).

5443.5. Nothing in this article prohibits the Department of Transportation from allowing any legally permitted display situated on property being acquired for a public use to be relocated, subject to the approval of the public agency acquiring the property and the approval of the jurisdiction in which the display will be relocated, so long as the action of the department in allowing the relocation of the display would not cause a reduction in federal-aid highway funds, as provided in Section 131 of Title 23 of the United States Code, or an increase in the number of displays which do not conform to this article within the jurisdiction of a governmental entity.

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ATTACHMENT #4

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BILL NUMBER: SB 1411 CHAPTERED
BILL TEXT

CHAPTER 117

FILED WITH SECRETARY OF STATE JULY 1, 1996

APPROVED BY GOVERNOR JUNE 30, 1996

PASSED THE ASSEMBLY JUNE 24, 1996

PASSED THE SENATE MAY 16, 1996

AMENDED IN SENATE MAY 15, 1996

AMENDED IN SENATE FEBRUARY 20, 1996

INTRODUCED BY Senator Johnson

JANUARY 17, 1996

An act to amend Section 5440 of, and to add Section 5442.8 to, the Business and Professions Code, relating to outdoor advertising.

LEGISLATIVE COUNSEL'S DIGEST

SB 1411, Johnson. Highways: outdoor advertising.

The Outdoor Advertising Act regulates the placement of advertising displays adjacent to and within specified distances of certain highways. Among other things, the act prohibits, with specified exceptions, the placement of an advertising display on property adjacent to a section of landscaped freeway.

This bill would exempt from that prohibition an advertising display used exclusively to identify development projects, business centers, or associations located within, or sponsored by, the City of Costa Mesa to support economic development activities, if the display meets specified conditions.

The bill would set forth facts and declare that the provisions specified above constitute necessary special legislation.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 5440 of the Business and Professions Code is amended to read:

5440. Except as provided in Sections 5441, 5442, 5442.7, and 5442.8, no advertising display shall be placed or maintained on property adjacent to a section of a freeway which has been landscaped if the advertising display is designed to be viewed primarily by persons traveling on the main-traveled way of the landscaped freeway.

SEC. 2. Section 5442.8 is added to the Business and Professions Code, to read:

5442.8. Section 5440 does not apply to any advertising structure or sign if the advertising display is used exclusively to identify development projects, business centers, or associations located within the jurisdiction of, or sponsored by, the City of Costa Mesa to support economic development activities, if all of the following conditions are met:

(a) No other display is used by the city pursuant to this section.

(b) The governing body of the city has authorized placement of the display by an ordinance or resolution adopted following a duly

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noticed public hearing regarding the display.

(c) Placement of the display will not necessitate the immediate trimming, pruning, topping, or removal of existing trees in order to make the display visible or to improve its visibility, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(d) The display does not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances that exist in the City of Costa Mesa. The facts constituting the special circumstances are as follows:

(a) Existing law prohibits certain automobile dealership malls in the City of Costa Mesa from erecting advertising signs or displays along the freeway because they are located next to a portion of the freeway that has been designated a landscaped freeway, as defined in Section 5216 of the Business and Professions Code. Other competing auto malls in Orange County, located along the same freeway but not next to a portion of the freeway that has been designated a landscaped freeway, are not prohibited from erecting those signs or displays. This situation puts those auto malls in Costa Mesa that are located next to a landscaped freeway at a serious competitive disadvantage.

(b) Automobile dealerships located in the auto malls in the City of Costa Mesa are the second highest sales tax generators in the city. In addition, because those dealerships employ approximately 1,000 persons, the auto malls provide other significant benefits to the city's economy. Accordingly, the City of Costa Mesa has an obligation to promote those dealerships' ability to compete with other automobile dealerships in Orange County.

(c) Section 2 of this act will greatly assist the City of Costa Mesa in this regard.